



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

साप्ताहिक
WEEKLY

सं. 37] नई दिल्ली, सितम्बर 7, 2014—सितम्बर 13, 2014, शनिवार/भाद्र 16—भाद्र 22, 1936
No. 37] NEW DELHI, SEPTEMBER 7, 2014—SEPTEMBER 13, 2014, SATURDAY/BHADRA 16—BHADRA 22, 1936

भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय
(वित्तीय सेवाएं विभाग)

नई दिल्ली, 21 मई, 2014

का.आ. 2433.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में संलग्न अनुबंध में उल्लिखित निम्नलिखित बैंकों की सूचीबद्ध शाखाओं/कार्यालयों को जिनके 80 से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

क्रम सं. बैंक के नाम	शाखाओं की संख्या
1. भारतीय स्टेट बैंक	45
2. स्टेट बैंक ऑफ मैसूर	53
3. आंध्रा बैंक	48
4. इंडियन ओवरसीज बैंक	183
कुल	329

[फा. सं. 11016/13/2013—हिंदी]
डॉ. वेद प्रकाश दूबे, संयुक्त निदेशक (रा.भा.)

राजभाषा नियम, 1976 के नियम 10 (4) के अंतर्गत
अधिसूचित किए जाने वाले कार्यालयों/शाखाओं की सूची

क्रमांक	शाखा कोड	शाखा का नाम और पता
(1)	(2)	(3)
1.	11961	भारतीय स्टेट बैंक संत बाबा भूरी वाले के सामने, तरन तारन रोड, अमृतसर राज्य : पंजाब, पिन : 143006
2.	14651	भारतीय स्टेट बैंक #2320/14, मेन बाजार, बस स्टैंड, अमृतसर, राज्य : पंजाब, पिन : 143001
3.	15903	भारतीय स्टेट बैंक 54, आईएनएफ-बीडीई, ट्रीम लैंड के सामने, गेट नं. सीपी-6 खासा, जिला : अमृतसर, राज्य : पंजाब, पिन : 143017

(1)	(2)	(3)	(1)	(2)	(3)
4.	16308	भारतीय स्टेट बैंक एसजीआरसी हास्पिटल, छपरा सिंह, महता रोड, अमृतसर, राज्य : पंजाब पिन : 143501	12.	14630	भारतीय स्टेट बैंक बूथ नं. 51, सैक्टर-40 सी, चंडीगढ़ पिन : 160036
5.	5286	भारतीय स्टेट बैंक सीएसी, टाउन हाल, अमृतसर, राज्य : पंजाब पिन : 143001	13.	14656	भारतीय स्टेट बैंक #1010, सैक्टर-68, मोहाली जिला : मोहाली, राज्य : पंजाब पिन : 160071
6.	16142	भारतीय स्टेट बैंक दशमेश स्वीट शॉप के सामने, कॉलेज रोड, गुरदासपुर, राज्य : पंजाब पिन : 143521	14.	16309	भारतीय स्टेट बैंक 126, ट्रिब्यून कॉलोनी के साथ, रेलवे रोड, बलटाना, जिला : मोहाली, राज्य : पंजाब पिन : 140604
7.	16421	भारतीय स्टेट बैंक सिंबल चौक के पास, ममुन, पठानकोट, राज्य : पंजाब पिन : 145001	15.	16413	भारतीय स्टेट बैंक चंडीगढ़ यूनिवर्सिटी कैम्पस, खरड़-मोरिंडा रोड, खरड़, जिला : मोहाली, राज्य : पंजाब पिन : 140413
8.	14657	भारतीय स्टेट बैंक #219, गांधी नगर, गुरदासपुर रोड, पठानकोट, राज्य : पंजाब पिन : 145001	16.	5283	भारतीय स्टेट बैंक सी ए सी, सैक्टर-7 सी, चंडीगढ़ पिन : 160007
9.	5292	भारतीय स्टेट बैंक सी ए सी, मुख्य शाखा भवन, ढांगु रोड, पठानकोट, राज्य : पंजाब पिन : 145001	17.	17022	भारतीय स्टेट बैंक यू आई ई टी, सैक्टर-25, चंडीगढ़ पिन : 160014
10.	15875	भारतीय स्टेट बैंक क्षेत्रीय व्यवसाय कार्यालय, ढांगु रोड, पठानकोट, राज्य : पंजाब	18.	15904	भारतीय स्टेट बैंक गिल मार्केट श्री बेर साहिब रोड, सुल्तानपुर लोधी, राज्य : पंजाब पिन : 144626
11.	13515	भारतीय स्टेट बैंक कुराली, जिला : मोहाली, राज्य : पंजाब पिन : 140103	19.	16141	भारतीय स्टेट बैंक वार्ड-4, पीएनबी चौक के पास, मेन रोड, टांडा राज्य : पंजाब पिन : 144204

(1)	(2)	(3)	(1)	(2)	(3)
20.	16144	भारतीय स्टेट बैंक 303 डी-II, बेला चौक, रोपड़, राज्य : पंजाब पिन : 140001	29.	5575	भारतीय स्टेट बैंक लाड्डा कोठी, जिला : संगरूर, राज्य : पंजाब पिन : 148034
21.	15874	भारतीय स्टेट बैंक क्षेत्रीय व्यवसाय कार्यालय, भूपिन्दीर प्लाजा, सरहिंद रोड, पटियाला, राज्य : पंजाब	30.	5577	भारतीय स्टेट बैंक अनाज मंडी सुनाम, जिला : संगरूर, राज्य : पंजाब पिन : 148028
22.	1623	भारतीय स्टेट बैंक कृषि विकास शाखा, गांव : संधौर, तहसील : मलरेकोटला, राज्य : पंजाब पिन : 148020	31.	6341	भारतीय स्टेट बैंक बरनाला, राज्य : पंजाब पिन : 148101
23.	1759	भारतीय स्टेट बैंक मुख्य शाखा, पटियाला गेट, संगरूर, राज्य : पंजाब पिन : 148001	32.	7400	भारतीय स्टेट बैंक इंडस्ट्रियल एरिया, संगरूर, राज्य : पंजाब पिन : 148001
24.	1762	भारतीय स्टेट बैंक कॉलेज रोड, मलरेकोटला, राज्य : पंजाब पिन : 148023	33.	7509	भारतीय स्टेट बैंक गांव व डाकखाना : फतेहगढ़ पंजग्राई जिला : संगरूर, राज्य : पंजाब पिन : 148025
25.	2333	भारतीय स्टेट बैंक गांव व डाकखाना : धनौला, जिला : बरनाला, राज्य : पंजाब पिन : 148105	34.	7521	भारतीय स्टेट बैंक चीमा जोधपुर, जिला : बरनाला, राज्य : पंजाब पिन : 148103
26.	3316	भारतीय स्टेट बैंक मानवी, जिला : संगरूर, राज्य : पंजाब पिन : 148023	35.	11913	भारतीय स्टेट बैंक अहमदगढ़, जिला : संगरूर, राज्य : पंजाब पिन : 141001
27.	3317	भारतीय स्टेट बैंक शेरों, जिला : संगरूर, राज्य : पंजाब पिन : 148106	36.	11914	भारतीय स्टेट बैंक नई अनाज मंडी, बरनाला, जिला : बरनाला, राज्य : पंजाब पिन : 148101
28.	4200	भारतीय स्टेट बैंक गांव व डाकखाना : धूरी, जिला : संगरूर, राज्य : पंजाब पिन : 140051	37.	11915	भारतीय स्टेट बैंक महल कलां, जिला : बरनाला, राज्य : पंजाब पिन : 148101

(1)	(2)	(3)	(1)	(2)	(3)
38.	15031	भारतीय स्टेट बैंक लीला भवन चौक, पटियाला, 1066/7, गुरुद्वारे के पास, कश्मीरियां, त्रिपरी, जिला : पटियाला, राज्य : पंजाब पिन : 147001	45.	16901	एल जी शोरूम के साथ हेमकुंड पेट्रोल पम्प के सामने सरहिंद रोड, पटियाला, राज्य : पंजाब पिन : 147004
39.	16489	भारतीय स्टेट बैंक नई अनाज मंडी, भवानी गढ़, जिला : संगरूर, राज्य : पंजाब पिन : 148026	46.		स्टेट बैंक ऑफ मैसूर विनोबानगर एक्सटेंशन, सागर, जिला : शिमोगा-577401
40.	16508	भारतीय स्टेट बैंक एरावत शॉपिंग कॉम्प्लेक्स, पटियाला कैट, जिला : पटियाला, राज्य : पंजाब पिन : 147001	47.		स्टेट बैंक ऑफ मैसूर नंदीयाल रोड, कडथी-583137 हरपनहल्ली, जिला : दावणगेरे
41.	16198	भारतीय स्टेट बैंक आर.जी.एन.यू. ऑफ लॉ सिधुवाल, भादसान रोड, सिधुवाल, जिला : पटियाला, राज्य : पंजाब पिन : 147001	48.		स्टेट बैंक ऑफ मैसूर होसमने एक्सटेंशन शाखा, मारूती कृपा बिल्डिंग, सुबय्या हॉस्पिटल के पास, जेल रोड, शिमोगा
42.	16199	भारतीय स्टेट बैंक सिटी ब्रांच, मंडी गोबिंदगढ़, पोस्ट ऑफिस रोड, मंडी गोबिंदगढ़, जिला : फतेहगढ़ साहिब, राज्य : पंजाब पिन : 147301	49.		स्टेट बैंक ऑफ मैसूर कृष्णा कैफे, अय्या आर्कैड, दीपक पेट्रोल पंप के सामने, बंक, बी.एच. रोड, शिमोगा-577201
43.	5179	भारतीय स्टेट बैंक तनावग्रस्त आस्ति पुर्नवास शाखा सेक्टर-7सी, चंडीगढ़, पिन : 160007	50.		स्टेट बैंक ऑफ मैसूर #778/1, दूर्गा अंबिका स्कूपल रोड, सरस्वती नगर, बडावने, डावणगेरे-577005
44.	5272	भारतीय स्टेट बैंक तनावग्रस्त आस्ति पुर्नवास शाखा वि. वा. शाखा, पहला तल, एससीओ-5, रंजीत एवेन्यू, अमृतसर, राज्य : पंजाब पिन : 143001	51.		स्टेट बैंक ऑफ मैसूर #1946/सी, दूर्गावती आर्कैड, पी.बी. रोड, डावणगेरे-577006
			52.		स्टेट बैंक ऑफ मैसूर सीटीएस, नं. 48/सी, प्लॉट नं. 36, बस स्टैंड के पास, अन्नीगेरी-582201 जिला : धारवाड
			53.		स्टेट बैंक ऑफ मैसूर, अलनावर, बिल्डिंग नं. 401, वार्ड नं. 1, इंदिरानगर, शिवाजी हॉस्पिटल के सामने, बस स्टैंड के पिछे, अलनावर, जिला : धारवाड
			54.		स्टेट बैंक ऑफ मैसूर, टीएमसी नं. 1281, वी.एम. मालगी कॉम्प्लेक्स, कुस्तागी रोड, गजेंद्रगढ़-582114, जिला : गदग

(1)	(2)	(3)	(1)	(2)	(3)
55.		स्टेट बैंक ऑफ मैसूर, सीटीएस नं. 3891/2बी, शांभवी मेडीकल्स, कुंबी कॉम्प्लेक्स, होटल ज्योति के सामने, बजार रोड, लक्ष्मेश्वर-582116 जिला गदग	65.		स्टेट बैंक ऑफ मैसूर, कुंडगोल शाखा, धारवाड, शेटटार ओनी, कुंडगोल-581113 जिला : धारवाड
56.		स्टेट बैंक ऑफ मैसूर, रिप्परनपेटे पोस्ट ऑफिस के सामने, सागर रोड, रिप्परनपेटे, होसानगर तालुका, जिला : शिमोगा-577426	66.		स्टेट बैंक ऑफ मैसूर, मित्र लेआउट, मंडेहल्ली रोड, विद्या नगर, चित्रदूर्ग
57.		स्टेट बैंक ऑफ मैसूर, ग्राम : जडे, सरोबा तालुका, जिला : शिमोगा-577419	67.		स्टेट बैंक ऑफ मैसूर, #1956/सी3, दूर्गावती आर्कड, शंकर विहार, हरिहरा रोड, एलआइसी आफ इंडिया के पास, दावणगेरे
58.		स्टेट बैंक ऑफ मैसूर, मेन रोड, तलगुप्पार, सागर तालुका, जिला : शिमोगा-511430	68.		स्टेट बैंक ऑफ मैसूर, प्लॉट नं. 109 और 110, राजाजी नगर, सतुर, धारवाड, जिला : धारवाड
59.		स्टेट बैंक ऑफ मैसूर, पुराना बस स्टैंड कॉम्प्लेक्स, शिरालकोप्पा, सोराबा तालुका, जिला शिमोगा-511428	69.		स्टेट बैंक ऑफ मैसूर, विद्यानगर, अनुग्रह, बी.एच. रोड, विद्यानगर, शिमोगा, शिमोगा
60.		स्टेट बैंक ऑफ मैसूर, प्लॉट नं. 109 और 110, राजाजी नगर, सतुकर, धारवाड-580009	70.		स्टेट बैंक ऑफ मैसूर, गुडडदा आर्कड, सागर रोड, शिमोगा, शिमोगा
61.		स्टेट बैंक ऑफ मैसूर, 79/ए, 12/एसपी म्यूनिसिपल नं. 10920, वार्ड क्र. 14 गुंजन कॉम्प्लेक्स, सप्तपुर, धारवाड-580001	71.		स्टेट बैंक ऑफ मैसूर, टीपीसी 853 डी/डी1/डी 2, पी डी, शेटटार कॉम्प्ले आक्सर, केएसआरटीसी बस स्टैंड, हीरेकरूर, हीरेकरूर
62.		स्टेट बैंक ऑफ मैसूर, सीटीएस नं. 1986, 1987 और 1988, न्यू इंग्लिश स्कूल के पास, बोम्मापुर, पीबी रोड, हुबली-580028	72.		स्टेट बैंक ऑफ मैसूर, नवलगुंड शाखा, गणेश कॉम्प्लेक्सी, बस स्टैंड के पास, नवलगुंड, जिला : धारवाड
63.		स्टेट बैंक ऑफ मैसूर, दावणगेरे युनिवर्सिटी कैम्पस, शिवगंगोत्री, तोलाहौस, दावणगेरे जिला : दावणगेरे	73.		स्टेट बैंक ऑफ मैसूर, बंकापुर शाखा सीटीएस नं. 1986, 1987, 1988, न्यूब इंग्लिश स्कूल, बम्मपूर ओनि, पी आर रोड, हुबली
64.		स्टेट बैंक ऑफ मैसूर, एपीएमसी कॉम्प्लेक्स, बस स्टैंड के पास, सवानौर, हावेरी	74.		स्टेट बैंक ऑफ मैसूर, श्रीराहट्टी शाखा, बुरबुरे बिल्डिंग, चुब्बीग रोड, बस स्टैंड के पास, श्रीराहट्टी-582 120, जिला गदग

(1)	(2)	(3)	(1)	(2)	(3)
75.		स्टेट बैंक ऑफ मैसूर, गुजमागडी रौन तालुका, गुजमागडी ग्राम, जिला : गदग	85.		स्टेट बैंक ऑफ मैसूर, शिग्गांनव शाखा, रायकर बिल्डींग, पुराने बस स्टैंड के पास, शिग्गांनव-581205, जिला : हावेरी
76.		स्टेट बैंक ऑफ मैसूर, सीटीएस नं. 3133, मुल्लारनबी क्रॉस, गदग मेन रोड, रोन, गदग	86.		स्टेट बैंक ऑफ मैसूर, हेब्बासूर शाखा, सं. 122, ब्राह्मिन गली, हेब्बासूर गांव पिन-571342 चामराजनगर तालुक, जिला-चामराजनगर
77.		स्टेट बैंक ऑफ मैसूर, गौरम्मा महाराजपेट बिल्डींग, पुरानी एसबीआई बिल्डींग, नये बस स्टैंड के पास, हानगल	87.		स्टेट बैंक ऑफ मैसूर, हुग्या शाखा सं. 502, मिन्यम मुख्य मार्ग, हुग्या गाँव पिन-571444, कोल्लेगाल तालुक, जिला-चामराजनगर
78.		स्टेट बैंक ऑफ मैसूर, पीबी नं. 3, एसवीपी कॉलोनी, सागर तालुका, जोग फाल्स्ल, शिमोगा के पास	88.		स्टेट बैंक ऑफ मैसूर, होंगानूर शाखा, 1/6, ब्राह्मिन गली, होंगानूर तालुक, जिला-चामराजनगर
79.		स्टेट बैंक ऑफ मैसूर, मेन रोड, सागर तालुका, तलगुप्पार, शिमोगा	89.		स्टेट बैंक ऑफ मैसूर, दोइडिइंदुवाडी शाखा नं. 1489, राजकीय उच्च विद्यालय मार्ग, दोइडिइंदुवाडी गाँव, पिन-571443 कोल्लेगाल तालुक चामराजनगर
80.		स्टेट बैंक ऑफ मैसूर, मुंडरगी शाखा, डॉ. वाईएस. मेटी बिल्डींग, जे.ए. कॉलेज, मेन रोड, मुंडरगी-580118 जिला : गदग	90.		स्टेट बैंक ऑफ मैसूर, येरगाम्बल्ली शाखा, नं. 907/1, नया विस्तार, मंडल पंचायत रोड, येरगाम्बल्ली-571441 येलंदूर तालुक जिला-चामराजनगर
81.		स्टेट बैंक ऑफ मैसूर, पोस्ट बॉक्स 1, बी.एच. रोड, निडीगे पीओ, जिला : शिमोगा, मेलावागोप्पाब, हरिगे	91.		स्टेट बैंक ऑफ मैसूर, शग्या शाखा, गार्दन हौस तोमियार पाल्यम रोड, शग्या गाँव, कोल्लेगाल तालुक, जिला चमराजनगर
82.		स्टेट बैंक ऑफ मैसूर, प्लॉट नं. 2, आर एस नं. 10, ब्लॉक नं. 2, चिक्कनकोप्पा, श्री चन्नावीर आन्ध्रा, कल्याण आश्रम कॉम्प्लेक्स्, मेन रोड, नवानगर, हुबली	92.		स्टेट बैंक ऑफ मैसूर, टेल्लनुर शाखा नं. 30 मारम्मा गली टेल्लनुर 571440
83.		स्टेट बैंक ऑफ मैसूर, एपीएम के पास, हुबली कारवार रोड, कलघटगी, कलघटगी, गदग			
84.		स्टेट बैंक ऑफ मैसूर, सीएसटी नं. 2115/2116, टीएमसी रोड, मार्केट, नरगुंद			

(1)	(2)	(3)	(1)	(2)	(3)
93.		स्टेट बैंक ऑफ मैसूर, अम्बाले शाखा नं. 107, एस.सी. गली अम्बाले गाँव पिन-571441, येलान्दुर तालुक जिला चामराजनगर	100.		आन्ध्रा बैंक बरनाला शाखा, ब्राइस प्लारजा, के सी मार्ग, बरनाला पंजाब-148101
94.		स्टेट बैंक ऑफ मैसूर, गोनीकोप्पल शाखा, हरीदर्शन आर्कैड, गोनीकोप्पल मुख्य मार्ग, विराजपेट तालुक जिला कोडगु गोनीकोप्पल 571213	101.		आन्ध्रा बैंक नाभा शाखा, सरकुलर रोड बौरन गेट, नाभा-147201
95.		स्टेट बैंक ऑफ मैसूर, महानंदी काम्प्लेक्स पी.एच. मार्ग, बेट्टदपुरा पेरियापेटना तालुक बेट्टदपुरा	102.		आन्ध्रा बैंक संगरूर शाखा, शहीद भगत सिंह चौक, संगरूर, पंजाब-148001
96.		स्टेट बैंक ऑफ मैसूर, हलगुर शाखा 688/1, 686/1ए, देवगिरी, चन्नपट्टना मार्ग, 1st क्रोस, हलगुर-571421 मलवल्लि तालुक	103.		आन्ध्रा बैंक गुंडमपल्ली शाखा, दिलावरपुर मंडल, आदिलाबाद जिला, आन्ध्रा प्रदेश-504306
97.		स्टेट बैंक ऑफ मैसूर, बेल्लुर क्रास शाखा, 338 शेट्टी काम्प्लेक्स येलदल्ली मार्ग बी.गी. नगर, पोस्ट-बेल्लुर, होबली-571418 नागमंगला तालुक	104.		आन्ध्रा बैंक बोथ शाखा, सरकारी जूनियर कॉलेज रोड, बोथ, आदिलाबाद जिला, आन्ध्रा प्रदेश-504305
98.		स्टेट बैंक ऑफ मैसूर, मैसूर मेडिकल कॉलेज शाखा, मेडिकल कॉलेज भवन, रेलवे स्टेशन मार्ग, मैसूर-570001	105.		आन्ध्रा बैंक कोत्तरकोण्डा शाखा, मुख्या रास्ता, भीमदेवरपल्लीत मंडल करीमनगर जिला आन्ध्रा प्रदेश-505471
99.		आन्ध्रा बैंक कोत्तरपेट शाखा सूरवरम रोड तुनि-533401 पूर्व गोदावरी जिला आन्ध्र प्रदेश	106.		आन्ध्रा बैंक कुकुनूर शाखा, मकान नं. 7-91/1, मुख्यन रास्ता, कुकुनूर, खम्मनम जिला आन्ध्रा प्रदेश-507114
			107.		आन्ध्रा बैंक भोपाल शाखा, सं. 36, भदभद्दा रोड, भोपाल, मध्य प्रदेश-462063
			108.		आन्ध्रा बैंक लखनऊ शाखा, 16, विधान सभा मार्ग, लखनऊ, उत्तर प्रदेश-226018

(1)	(2)	(3)	(1)	(2)	(3)
109.		आन्ध्रा बैंक इलाहाबाद शाखा, पोस्ट बॉक्स नं. 9992, जॉन्सन गंज, 158, पन्दरीबा, इलाहाबाद, उत्तर प्रदेश, पिन 211003	118.		आन्ध्रा बैंक सिविल लाईन्स शाखा, परिणय कुँज, 1/174, सिविल लाईन्स, बाग फरजाना रोड, आगरा, उत्तर प्रदेश-282002
110.		आन्ध्रा बैंक गीता वाटिका शाखा, मैकेनिकल वर्कशॉप, उ.पू. रेलवे, गोरखपुर, उत्तर प्रदेश-273012	119.		आन्ध्रा बैंक अलीगढ़ शाखा, 4/1399 शहजाद मार्केट, जामिया ऊर्दू, मेडिकल रोड, सिविल लाईन्स, अलीगढ़, उत्तर प्रदेश-202002
111.		आन्ध्रा बैंक आर के नगर शाखा, म.सं. 111/155, प्लॉट सं. 5, कनिका अस्पताल के पास, हर्ष नगर, कानपुर, उत्तर प्रदेश-208012	120.		आन्ध्रा बैंक बुलन्दशहर शाखा, 235, सिविल लाईन्स, काला आम, बुलंद शहर, उत्तर प्रदेश-203001
112.		आन्ध्रा बैंक कचहरी शाखा, सिविल कोट परिसर, गोरखपुर, उत्तर प्रदेश-273001	121.		आन्ध्रा बैंक बरेली शाखा, 35ए/8, रामपुर गार्डन, बरेली, उत्तर प्रदेश-243001
113.		आन्ध्रा बैंक अशोका गार्डन शाखा, प्रयास भवन, जेल रोड, भोपाल, मध्य प्रदेश	122.		आन्ध्रा बैंक मथुरा शाखा, 1947/1 और ए कालिन्दी कुँज, दाम्पियर नगर, स्टेशन रोड, मथुरा, उत्तर प्रदेश-281001
114.		आन्ध्रा बैंक अयोध्या नगर शाखा, 49, जुनियर एम आई जी, अयोध्या नगर, भोपाल मध्य प्रदेश-462041	123.		आन्ध्रा बैंक सहारनपुर शाखा, 3/6783, लिंक रोड, हीरो होंडा एजेंसी के सामने, सहारनपुर, उत्तर प्रदेश-247001
115.		आन्ध्रा बैंक इन्दिरा नगर शाखा, सेक्टर 9, इंदिरा नगर, लखनऊ, उत्तर प्रदेश-226016	124.		आन्ध्रा बैंक मुजफ्फरनगर शाखा, 313/1 दक्षिण भोपा रोड, मुजफ्फर नगर, उत्तर प्रदेश-251001
116.		आन्ध्रा बैंक तारामंडल शाखा, गोरखपुर विकास प्राधिकरण, रामगढ़ ताल, देवरिया बाईपास, गोरखपुर, उत्तर प्रदेश	125.		आन्ध्रा बैंक मुरवाडा शाखा, प्लॉट सं. 31,58, 86 व 87/2, जय दयाल रोड, सुभाष रोड, मुरवाडा (कटनी) मध्य प्रदेश
117.		आन्ध्रा बैंक आलम बाग शाखा, केएसएम टावर, सी पी-1, आलम बाग, लखनऊ, उत्तर प्रदेश-226004	126.		आन्ध्रा बैंक मिश्रिख शाखा, मिश्रिख शाखा, नाहर चौराहा, सीता पुर रोड, मिसरीख, उत्तर प्रदेश-261401

(1)	(2)	(3)	(1)	(2)	(3)
127.		आन्ध्रा बैंक शहजनावां शाखा, पुराना मंगल बाजार, शाहजनवा, गोरखपुर, उत्तर प्रदेश-273209	136.		आन्ध्रा बैंक गोमती नगर शाखा, गोपती नगर-, विनय खंड, लखनऊ, उत्तर प्रदेश-226010
128.		आन्ध्रा बैंक अतरौली शाखा, अतरौली खा, कॉलेज रोड, गोवर्धन धाम, अतरौली अलीगढ़, उत्तर प्रदेश-202280	137.		आन्ध्रा बैंक धानुपूरा शाखा, गाँव लोधीपुर, राजपूत, दिल्ली रोड, धानुपूरा जिला मोरादाबाद, उत्तर प्रदेश-244102
129.		आन्ध्रा बैंक खलीलाबाद शाखा, गोला बाजार, मेन मार्केट, संत कबीर नगर, खलीलाबाद, उत्तर प्रदेश-272175	138.		आन्ध्रा बैंक बिजनौर शाखा, श्याम विहार, किरातपुर रोड, बिजनौर लखनऊ उत्तर प्रदेश-226701
130.		आन्ध्रा बैंक मसूरी शाखा, मवाना रोड, मसूरी, मेरठ, उत्तर प्रदेश-250001	139.		आन्ध्रा बैंक पल्लवपुरम शाखा, सी-3/1, पॉकेट-टी, पल्लवपुरम-फेज-II, मेरठ, उत्तर प्रदेश-250110
131.		आन्ध्रा बैंक बाराबंकी शाखा, वर्मा मार्केट पूर्वी छोर, फैजाबाद रोड, बाराबंकी, उत्तर प्रदेश-225001	140.		आन्ध्रा बैंक औंग शाखा, गांव एवं पोस्ट औंग, जी टी रोड, जिला फतहपुर, उत्तर प्रदेश-212665
132.		आन्ध्रा बैंक सीतापुर शाखा, एम एम मेहरोत्रा भवन, 13-बी स्टेशन रोड, सीतापुर, उत्तर प्रदेश	141.		आन्ध्रा बैंक विजयनगर शाखा, युजी-18, 19 व 20, ग्राउंड फ्लोर, मंगल प्लॉट सं. A-1PU-4, कॉमर्शियल स्कीम, एबी रोड, विजय नगर, इन्दौर, मध्य प्रदेश-452001
133.		आन्ध्रा बैंक देवरिया शाखा, प्लॉट सं. 328, कोतवाली रोड, देवरिया उत्तर प्रदेश-274001	142.		आन्ध्रा बैंक विकास नगर शाखा, सी पी-1, पी जी आवर, कुशी रोड, विकास नगर, लखनऊ, उत्तर प्रदेश-226010
134.		आन्ध्रा बैंक मेडरापार शाखा, मदारपुर गांव, पो. बखीरा, बगुली ब्लॉक, संत कबीर नगर, उत्तर प्रदेश-272159	143.		आन्ध्रा बैंक दिल्ली रोड शाखा, गाँधी कॉम्प्लेक्स, देहली रोड, मुरादाबाद, उत्तर प्रदेश-244001
135.		आन्ध्रा बैंक वृन्दावन शाखा, 225, रमण रेती, श्री जी पैलेस, वृन्दावन, उत्तर प्रदेश-281121	144.		आन्ध्रा बैंक झांसी शाखा, 372/44-45, ग्वालियर रोड, सिविल लाईन्स, झांसी, उत्तर प्रदेश-284001

(1)	(2)	(3)	(1)	(2)	(3)
145.		आन्ध्रा बैंक इटावा शाखा, 759-C, हर्ष नगर, कचहरी रोड, इटावा, उत्तर प्रदेश-206001	155.	बदरपुर (3249)	इण्डियन ओवरसीज़ बैंक, 416, निकट तुगलकाबाद मेट्रो स्टेशन, मथुरा रोड, बदरपुर, नई दिल्ली-110044
146.		आन्ध्रा बैंक गोण्डा शाखा, मकान सं. 45, गुड्डूमल चौराहा, मालवीय नगर, गोण्डा, उत्तर प्रदेश-271001	156.	अजमेर 476	इण्डियन ओवरसीज़ बैंक आर.सी. डॉयसन सोसाइटी ऑफ अजमेर केसरगंज, अजमेर, पिनकोड : 305001, जिला अजमेर
147.	अकबरा-3051	इण्डियन ओवरसीज़ बैंक ग्राम अकबरा, पोस्ट : अरतोनी, तहसील-किरावली, जिला-आगरा-2820079 (उ.प्र.)	157.	अलवर 385	इण्डियन ओवरसीज़ बैंक यू जी एफ ड्रीमज़, सामने सरकारी बच्चों का अस्पताल, नज़दीक पुराना पॉवर हाऊस रोड, गौरव पाथ, अलवर शहर, पिनकोड-301001, जिला अलवर
148.	एटा-2997	इण्डियन ओवरसीज़ बैंक होटल शिखर, आगरा रोड, न्यू बस स्टैंड के पास, एटा-207001 (उ.प्र.)	158.	अलवर गेट, अजमेर 1668	इण्डियन ओवरसीज़ बैंक नसीराबाद रोड, अलवर गेट, अजमेर, पिनकोड-305001, जिला-अजमेर
149.	फिरोज़ाबाद-3011	इण्डियन ओवरसीज़ बैंक मुख्य डाकघर के सामने, आवास विकास कालोनी, सुहाग नगर, फिरोज़ाबाद-283201 (उ.प्र.)	159.	बॉम्बे मोटर सर्किल, जोधपुर	इण्डियन ओवरसीज़ बैंक शोरूम नं. 3, रणवीर भवन, नौवी चौपसानी रोड, जोधपुर पिनकोड-342001
150.	वृहत कारपोरेट शाखा (2745)	इण्डियन ओवरसीज़ बैंक वृहत कारपोरेट शाखा, चतुर्थ तल, रचना सिनेमा बिल्डिंग, 2 राजेन्द्र प्लेस, पूसा रोड, नई दिल्ली-110008	160.	बनी पार्क 562	इण्डियन ओवरसीज़ बैंक ए/सी-2, जयसिंह सर्किल, नज़दीक कोलैक्टोरेट, बनी पार्क, जयपुर, पिनकोड-302006, जिला जयपुर
151.	मिड कारपोरेट शाखा (2746)	इण्डियन ओवरसीज़ बैंक, वृहत कारपोरेट शाखा, चतुर्थ तल, रचना सिनेमा बिल्डिंग, 2 राजेन्द्र प्लेस, पूसा रोड, नई दिल्ली-110008	161.	भीलवाड़ा 1487	इण्डियन ओवरसीज़ बैंक नं. 1-5, आकार टॉवर, पुराना आरटी ओ रोड, भोलवाड़ा, पिनकोड-311001, जिला-भीलवाड़ा
152.	जंगपुरा (2792)	इण्डियन ओवरसीज़ बैंक, 115, मस्जिद रोड जंगपुरा नई दिल्ली-110014	162.	बीकानेर 1608	इण्डियन ओवरसीज़ बैंक 8 पोकर क्वॉटर, चौपरा कतला, रानी बाज़ार, बीकानेर, पिन 5 334001, जिला : बीकानेर
153.	कीर्तिनगर (2964)	इण्डियन ओवरसीज़ बैंक, 1-107ए भू-तल, कीर्तिनगर, नई दिल्ली-110015	163.	भिवाड़ी 2166	इण्डियन ओवरसीज़ बैंक प्लाट सं. 3A/7, यू आई टी कॉलोनी, गौरव पाथ, भिवाड़ा
154.	सेक्टर-11 रोहिणी, (3248)	इण्डियन ओवरसीज़ बैंक, तितिक्षा पब्लिक स्कूल सेक्टर-11, रोहिणी, नई दिल्ली-110085	164.	सी-स्कीम 2137	इण्डियन ओवरसीज़ बैंक J-54-C सनराईस, पृथ्वीराज रोड, सी-स्कीम, जयपुर, पिनकोड : 302001, जिला-जयपुर

(1)	(2)	(3)	(1)	(2)	(3)
165.	देवली 2371	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 1, प्रेम कुंज, पीछे पीर बाबा, पटेल नगर, देवलनी, पिन : 304804 जिला - टोंक	175.	मानसरोवर 1622	इण्डियन ओवरसीज़ बैंक आई आई आर एम कैम्पस, टैगोर मार्ग, सेक्टर 11, अग्रवाल फार्म, मानसरोवर, जयपुर, पिन- 302020, जिला-जयपुर
166.	फतेहपुर 1404	इण्डियन ओवरसीज़ बैंक 17 परिहार शॉपिंग सेंटर, सिकारिया चौराहा शेहावती, फतेहपुर, पिन : 332301, जिला-सीकर	176.	मुबारकपुर 653	इण्डियन ओवरसीज़ बैंक नज़दीक बस स्टैंड, किशनगढ़ रोड, ग्राम एवं डाकखाना, मुबारकपुर, पिन : 301025, जिला-अलवर
167.	एम.आई रोड 158	इण्डियन ओवरसीज़ बैंक 11 ऋतुराज बिल्डिंग, एम.आई. रोड, जयपुर, पिन: 302001, जिला जयपुर	177.	राजेन्द्र नगर 2174	इण्डियन ओवरसीज़ बैंक C/o आदर्श विद्या मंदिर स्कूल, राजेन्द्र नगर, अलवर पिन : 301001, जिला-अलवर
168.	जोधपुर 901	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 1, सनशाइन बिल्डिंग (पहला तल), नई सड़क, जोधपुर पिन : 342001 जिला-जोधपुर	178.	रूपबास 3100	इण्डियन ओवरसीज़ बैंक एस 42-45, वनस्थली मोड डाकखाना, निवाई तुल्क इंडस्ट्रीयल क्षेत्र, 11 डी सेंटर, ग्राम रूपबास, पिन : 304022 जिला 5 टोंक
169.	किशनगढ़ 1909	इण्डियन ओवरसीज़ बैंक प्लॉट नं. डी. 108 (ए-2), एन एच-8, किशनगढ़, पिन : 305801, जिला-अजमेर	179.	सीकर रोड 1693	इण्डियन ओवरसीज़ बैंक श्री भवानी निकेतन कॉलेज कैम्पस, सीकर रोड, जयपुर पिन 5 302023 जिला-जयपुर
170.	कोटा 1471	इण्डियन ओवरसीज़ बैंक 15 बल्लभ नगर, रावतवता रोड, कोटा पिन : 327004, जिला-कोटा	180.	सीतापुरा 1926	इण्डियन ओवरसीज़ बैंक जी-89, ई पी आई पी, आर आई आई सी ओ इंडस्ट्रीय क्षेत्र, सीतापुरा
171.	करौली 2228	इण्डियन ओवरसीज़ बैंक अजय निवास, गुलाब बाग, करौली पिन- 322241, जिला-करौली	181.	श्रीगंगानगर 1917	इण्डियन ओवरसीज़ बैंक 5-ए-8 मीरा मार्ग, जवाहर नगर, श्रीगंगानगर, पिन : 335001 जिला-श्रीगंगानगर
172.	खेतड़ी नगर 2173	इण्डियन ओवरसीज़ बैंक सैंट्रल स्कूल कैम्पस 1, खेतड़ी नगर, झुन्झुनु पिन : 333504, जिला-झुन्झुनु	182.	तिलक नगर 381	इण्डियन ओवरसीज़ बैंक 4 शॉपिंग सेंटर, तिलक नगर मार्केट, तिलक नगर, जयपुर, पिन : 302004, जिला-जयपुर
173.	कोलिहान नगर 481	इण्डियन ओवरसीज़ बैंक सी-17, कोलिहान नगर, खेतड़ी, पिन : 333503, जिला-झुन्झुनु	183.	उदयपुर 695	इण्डियन ओवरसीज़ बैंक 10 पंचशील मार्ग (सामने टारुन हॉल) पहला तल, उदयपुर पिन : 313001, जिला-उदयपुर
174.	मालवीय नगर 1549	इण्डियन ओवरसीज़ बैंक डी-672, मालवीय नगर, जयपुर पिन : 302017, जिला जयपुर			

(1)	(2)	(3)	(1)	(2)	(3)
184.	वैशाली नगर 1539	इण्डियन ओवरसीज़ बैंक “एफ-ब्लॉक” प्लॉट नं. एस.आर 3-ए, नज़दीक कम्यूनिटी सेंटर, अमरपाली मार्ग, वैशाली नगर, जयपुर, पिन : 302021, जिला-जयपुर	194.	महानगर, 3025	इण्डियन ओवरसीज़ बैंक बी-67, सेक्टर-सी, महानगर, लखनऊ-226006, उ.प्र.
185.	ए आर एम जयपुर 2576	इण्डियन ओवरसीज़ बैंक क्षेत्रीय कार्यालय, जयपुर, पहला तल, रिद्धी टॉवर, एस बी-57, बापू नगर, टॉक रोड, जयपुर-302015	195.	रैपिड रिटेल सेंटर, 3056	इण्डियन ओवरसीज़ बैंक नवचेतना केंद्र, 10 अशोक मार्ग, लखनऊ-226001, उ.प्र.
186.	मांचवा 3223	इण्डियन ओवरसीज़ बैंक ग्राम मांचवा, मुख्य कलवर रोड, नज़दीक पंचायत समिति, तहसील झोटवाडा, जयपुर पिन : 302012 लखनऊ क्षेत्र	196.	भूये मऊ, 3071	इण्डियन ओवरसीज़ बैंक ग्राम व पत्रालय-भूये मऊ, माजरा मुलिहा मऊ, जिला-रायबरेली-229001, उ.प्र.
187.	आस्ति वसूली प्रबंधन 2594	इण्डियन ओवरसीज़ बैंक अवनवाई मेशन, विधान सभा मार्ग, लखनऊ-226001, उ.प्र.	197.	अहमा मऊ, 3072	इण्डियन ओवरसीज़ बैंक पृथ्वी गेस्ट हाउस के सामने, सुलतानपुर रोड, अहमा मऊ, लखनऊ-226002, उ.प्र.
188.	बहराइच, 2675	इण्डियन ओवरसीज़ बैंक सिविल लाइंस, स्नेह उत्सव के सामने, इंदिरा स्टेडियम के पास, जिला बहराइच-271801, उ.प्र.	198.	सिधौली, 3195	इण्डियन ओवरसीज़ बैंक टीचर कालोनी, बहादुरपुर, गाँधी विद्यालय इंटर कालेज के सामने, सिधौली-261303, जिला-सीतापुर, उ.प्र.
189.	गोंडा, 2676	इण्डियन ओवरसीज़ बैंक मकान नं. 331, मोहल्ला छेदीपुरवा, बडगाँव पुलिस चौकी बहराइच रोड, जिला गोंडा, उ.प्र. पिन 271002	199.	बंधरा, 3232	इण्डियन ओवरसीज़ बैंक राजपूत नर्सिंग होम, बंधरा थाने के सामने, बंधरा सिकन्दरपुर-227101, जिला-लखनऊ, उ.प्र.
190.	कन्नौज, 2978	इण्डियन ओवरसीज़ बैंक 7 सराई बहादुर, जिला कन्नौज, उ.प्र., पिन-209725	200.	आय समाज रोड, 3001	इण्डियन ओवरसीज़ बैंक डी.ए.वी. कॉलेज बिल्डिंग, प्रथम तल, आर्य समाज रोड, मुजफ्फरनगर, पिन 251001 उ.प्र.
191.	फतेहपुर, 2990	इण्डियन ओवरसीज़ बैंक 176/154 सी, कृष्णा टावर, कलेक्टर गंज, जिला फतेहपुर, 212601 उ.प्र.	201.	आर.जी. इण्टर- कॉलेज, 2803	इण्डियन ओवरसीज़ बैंक आर.जी. इण्टर कॉलेज, छीपी टैंक, मेरठ, पिन 251001 उ.प्र.
192.	गोविन्द नगर, 3022	इण्डियन ओवरसीज़ बैंक 126/एफ-1, गोविन्द नगर, जिला कानपुर देहार, उ.प्र., पिन-208006	202.	शाहजहाँपुर, 2801	इण्डियन ओवरसीज़ बैंक गटुका लॉज, गोविन्द गंज शाखा, जिला-शाहजहाँपुर, पिन 242001 उ.प्र.
193.	किदवई नगर, 3024	इण्डियन ओवरसीज़ बैंक 1334/34 “ओ” ब्लॉक, किदवई नगर, जिला-कानपुर देहात, उ.प्र., पिन-208023	203.	बिजनौर, 3002	इण्डियन ओवरसीज़ बैंक भूतल, सिविल लाइंस 11, नुमाइश मैदान के सामने, जिला बिजनौर, पिन 246701 उ.प्र.

(1)	(2)	(3)	(1)	(2)	(3)
204.	सहारनपुर, 2981	इण्डियन ओवरसीज़ बैंक विशिष्ट एस एम ई शाखा, ए-8, आवास विकास, दिल्ली रोड, सहारनपुर, पिन 247001 उ.प्र.	214.	नवादा 2865	इण्डियन ओवरसीज़ बैंक प्रथम तल, गायत्री देवी भवन, पुराना बस स्टेण्ड, गया रोड पर नवादा, पिन कोड-805110
205.	अमरोहा, 2980	इण्डियन ओवरसीज़ बैंक भूतल, पक्का बाग, बिजनौर रोड, ज्योतिबा फूलेनगर, अमरोहा, पिन 244221 उ.प्र.	215.	किशनगंज 2913	इण्डियन ओवरसीज़ बैंक शबनम मार्केट पश्चिमपाली चौक, किशनगंज, पिन कोड-855108
206.	पीलीभीत शाखा, 2802	इण्डियन ओवरसीज़ बैंक पीलीभीत शाखा, 94-अशोक कॉलोनी, सिविल लाइंस, साउथ पीलीभीत, पिन 262001 उ.प्र.	216.	सासाराम 3167	इण्डियन ओवरसीज़ बैंक श्री श्री बालाजी कॉम्प्लेक्स, जी.टी. रोड, जिला : रोहतास, सासाराम पिन कोड-821115
207.	चेदौसी शाखा, 2800	इण्डियन ओवरसीज़ बैंक चंदौसी शाखा, 2-साकेत कॉलोनी, चंदौसी, पिन 202412 उ.प्र.	217.	बेतिया 3168	इण्डियन ओवरसीज़ बैंक मारुति मेकर बिडिंग, सुप्रिया रोड, बेतिया, जिला-पश्चिम चम्पारण पिन कोड-845438
208.	फतुहा 2761	इण्डियन ओवरसीज़ बैंक मेन रोड, गैस गोदाम के पास, दरियापुर, नया टोला, फतुहा, जिला पटना, पिन कोड-803201	218.	सी.बी.ओ. 3012	इण्डियन ओवरसीज़ बैंक सिटी बैंक ऑफिस, 401 आधारशिला कॉम्प्लेक्स, दक्षिणी गाँधी मैदान, पटना, जिला-पटना, पिन कोड-800001
209.	नेऊरा 3062	इण्डियन ओवरसीज़ बैंक सुरेन्द्र मेडिकल कॉलेज एवं हॉस्पिटल, शिवाला मोड के पास, नेऊरा, जिला-पटना, पिन कोड-801113	219.	आर.आर.सी. 3013	इण्डियन ओवरसीज़ बैंक आर.आर.सी., 401 आधारशिला कॉम्प्लेक्स, दक्षिणी गाँधी मैदान, पटना, जिला-पटना, पिन कोड-800001
210.	काँटी 2760	इण्डियन ओवरसीज़ बैंक शंकर मार्केट, काँटी चौक, पोस्ट ऑफिस के पास, मुजफ्फरपुर, पिन कोड-843109	220.	सैनिक कालोनी, फरीदाबाद, 3349	इण्डियन ओवरसीज़ बैंक एससीएफ 66 सैनिक कॉलोनी, सेक्टर-49, कमर्शियल मार्केट, अपोजिट डीएवी स्कूल, फरीदाबाद-121001
211.	मोतिहारी 2851	इण्डियन ओवरसीज़ बैंक द्वितीय तल शरण कॉम्प्लेक्स, टाऊन हॉल मोतिहारी, जिला-पूर्वी चम्पारण, पिन कोड-845401	221.	सेक्टर-8, फरीदाबाद, 3376	इण्डियन ओवरसीज़ बैंक एससीएफ 203, सेक्टर-8, हुडा मार्केट, फरीदाबाद
212.	दुल्लीपट्टी 3206	इण्डियन ओवरसीज़ बैंक ग्रा. एवं पोस्ट-दुल्लीपट्टी, थाना जयनगर, जिला-मधुबनी, पिन कोड-847226	222.	आर.आर.सी., गुडगाँव, 3343	इण्डियन ओवरसीज़ बैंक प्रथम तल, यादव भवन, ओल्ड रेलवे रोड, गुडगाँव-122001
213.	मोहनबरियम 3207	इण्डियन ओवरसीज़ बैंक ग्रा. मोहनबरियम, पोस्ट ऑफिस कन्हौली, द्वारा-सकरी, जिला-मधुबनी, पिन कोड-847239	223.	सेक्टर-5, गुडगाँव, 3374	इण्डियन ओवरसीज़ बैंक दुकान नं. 2, शीतला असोसिएट्स के पास, शीतला माता मंदिर रोड, अपोजिट सेक्टर-5, गुडगाँव

(1)	(2)	(3)	(1)	(2)	(3)
224.	छजारसी, नोएडा, 3178	इण्डियन ओवरसीज़ बैंक सीएच ब्लॉक गाँव, छजारसी, अपोजिट सेक्टर-63, नोएडा-201307	235.	ढंढेरा (2544)	इण्डियन ओवरसीज़ बैंक ग्राम व पोस्ट डंडेरा-247667, जिला हरिद्वार (उत्तराखण्ड)
225.	शरफाबाद, नोएडा, 3315	इण्डियन ओवरसीज़ बैंक सेक्टर-73, लक्ष्मी कॉम्पलेक्स, शरफाबाद, नोएडा-201301	236.	नैनीताल (2804)	इण्डियन ओवरसीज़ बैंक 111-112, तल्लीताल, नैनीताल
226.	जलपुरा, हलदोनी, 3364	इण्डियन ओवरसीज़ बैंक खसरा नं. 689, चौधरी बिबारी सिंह मार्केट, जलपुरा हलदोनी मोड़, पोस्ट-कुलेशरा-201306	237.	बागेश्वर (2900)	इण्डियन ओवरसीज़ बैंक तहसील रोड, बागेश्वर शाखा, जिला-बागेश्वर-263642
227.	सेक्टर-22, नोएडा, 3375	इण्डियन ओवरसीज़ बैंक अपोजिट जे-55, गाँव चौरा, सेक्टर-22, नोएडा-201301	238.	शिवालिक नगर (2901)	इण्डियन ओवरसीज़ बैंक 94-अशोक फेज-1, लाइजियम गैस्ट हाऊस, बी.एच.इ.एल., रानीपुर-249403, जिला हरिद्वार, उत्तराखण्ड
228.	ऋषिकेश (1458)	इण्डियन ओवरसीज़ बैंक ओमकारानंद भवन, मुनी की रेती, ऋषिकेश-249201 जिला-टिहरी गढ़वाल	239.	भारूवाला ग्रांट (3113)	इण्डियन ओवरसीज़ बैंक पो.बो. कलैम्न टाऊन, देहरादून-248002
229.	हल्द्वानी (1467)	इण्डियन ओवरसीज़ बैंक होटल कांता, कांता काम्पलैक्स 10-220, बरेली रोड, हल्द्वानी, जिला नैनीताल-263139	240.	बहादुरपुर जट (3211)	इण्डियन ओवरसीज़ बैंक गाँव-बहादुरपुरजट, ब्लॉक बहादुराबाद, जिला हरिद्वार-249404
230.	नेहरू कॉलोनी (1489)	इण्डियन ओवरसीज़ बैंक पो.बो.नं. 94, 160, नेहरू कॉलोनी, हरिद्वार रोड़ देहरादून-248001	241.	सराई (3212)	इण्डियन ओवरसीज़ बैंक गाँव-सराई, ब्लॉक बहादुराबाद, जिला-हरिद्वार-249404
231.	रूद्रपुर (1591)	इण्डियन ओवरसीज़ बैंक एस.जे.ए.डी शॉपिंग कॉम्पलेक्स नैनीताल रोड, रूद्रपुर, उधम सिंह नगर-263153	242.	मालसी (3213)	इण्डियन ओवरसीज़ बैंक गाँव-मालसी, ब्लॉक सहसपुर, जिला-देहरादून-248003
232.	हरिद्वार (1692)	इण्डियन ओवरसीज़ बैंक शांति कुंज के पास, भूपतवाला, हरिद्वार-249410	243.	नाथनपुरा (3214)	इण्डियन ओवरसीज़ बैंक गाँव-नाथनपुर, पो.ओ.-नेहरू ग्राम, ब्लॉक रायपुर, जिला-देहरादून-248010
233.	पटेलनगर (2383)	इण्डियन ओवरसीज़ बैंक 32, को-ऑपरेटिव इण्डस्ट्रियल एरिया, पर्कल नगर, देहरादून-248002	244.	मोथरोवाला (3215)	इण्डियन ओवरसीज़ बैंक गाँव-मोथरोवाला, ब्लॉक रायपुर, तहसील-पछवादून, जिला-देहरादून-248115
234.	कोटद्वार (2543)	इण्डियन ओवरसीज़ बैंक महेश्वरी ओटोमोबाइल के पास, नजीबाबाद रोड, कोटद्वार-246149	245.	देहरादून, क्षेत्रीय कार्यालय (2952)	इण्डियन ओवरसीज़ बैंक क्षेत्रीय, कार्यालय, 595, मलिक चौक, देहरादून पिन-246006
			246.	दिमनी 2536	इण्डियन ओवरसीज़ बैंक मकान नं. 67, नगरा बाबा रोड, पोस्ट-दिमनी, तहसील-अंबा, जिला मुरैना-476134

(1)	(2)	(3)	(1)	(2)	(3)
247.	रायरू 2553	इण्डियन ओवरसीज़ बैंक 10 व 11 रामजी मार्केट, कुलैथ रोड, मिलावली रेलवे स्टेशन के पास, रायर-474010, जिला ग्वालियर	258.	नीमच 2936	इण्डियन ओवरसीज़ बैंक 20, स्कीम नं. 1, टाउन हाल रोड, नीमच-458441, जिला-नीमच
248.	इन्दौर-मिड कोर्पोरेट 2639	इण्डियन ओवरसीज़ बैंक स्कीम नं. 54, श्री सत्य साईं विद्याविहार कम्पाउण्ड, बाम्बे हास्पिटल रोड, विजय नगर, इन्दौर, पिन-452010	259.	पुरानी छावनी 2953	इण्डियन ओवरसीज़ बैंक सर्वे नं. 882, ए.बी. रोड, टाटा मोबाइल टावर के पास, पुरानी छावनी-474101, जिला-ग्वालियर
249.	दतिया 2640	इण्डियन ओवरसीज़ बैंक मकान सं. 99/2, नगर पालिका भवन के सामने, दतिया, मध्य प्रदेश-475661	260.	सिवनी 2959	इण्डियन ओवरसीज़ बैंक 436, महावीर मढ़िया के पास, जी.एन. रोड, मंगलीपेट, आजाद वार्ड, सिवनी-480661 जिला-सिवनी
250.	थाटीपुर- ग्वालियर 2655	इण्डियन ओवरसीज़ बैंक मकान सं. 88, मयूर साकेत, थाटीपुर, जिला-ग्वालियर, मध्य प्रदेश-474011	261.	पुरासनी 3132	इण्डियन ओवरसीज़ बैंक भवन सं. 3733, ए ब्लॉक, स्थैली रेलवे स्टेशन के पास, रेलवे स्प्रिंग फैक्टरी के सामने, ग्राम पुरसनी, पोस्ट-आई.टी.एम. कॉलेज, पिन-474001, जिला-ग्वालियर
251.	भिण्ड 2656	इण्डियन ओवरसीज़ बैंक मकान सं. 363, वाड सं. 12, ग्वालियर मुख्य मार्ग, भिण्ड, मध्य प्रदेश-477001	262.	नैनोद 3131	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 139, गांधी नगर, ग्राम-नैनोद 453112, जिला इंदौर
252.	रीवा 2872	इण्डियन ओवरसीज़ बैंक एनएच.-7, बस स्टैंड के पास, आदित्य होटल के बगल में, रीवा, म.प्र.	263.	भवरसला 3130	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 40, 41 शाकंबरी, एवेन्यू कॉलोनी, पोस्ट-श्री अरविंदो एस ओ, ग्राम-भावरसला 453555, जिला-इन्दौर
253.	बालाघाट 2873	इण्डियन ओवरसीज़ बैंक वार्ड सं. 15, मेन रोड बालाघाट, बालाघाट, म.प्र.	264.	पीपलिया बाजखान 3133	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 7 व 8, पीपलिया बाजखान रोड, भानापुर-462010, जिला-भोपाल
254.	खतरपुर 2954	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 243, 24 जवाहर मार्ग, खतरपुर-471001 जिला-खतरपुर	265.	सतना 3188	इण्डियन ओवरसीज़ बैंक खसरा नं. 252, सतना बिल्डिंग, रीवा रोड, सतना-485001, जिला-सतना
255.	गुना 2956	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 96, मेन रोड, गुना-473001, जिला-गुना	266.	वीरपुर 3189	इण्डियन ओवरसीज़ बैंक मली नाका, वीरपुर-474001, जिला-ग्वालियर
256.	जौरी 2958	इण्डियन ओवरसीज़ बैंक बीज भण्डार के सामने, जौरा रोड, जौरी-476001, जिला मुरैना			
257.	मंदसौर 2957	इण्डियन ओवरसीज़ बैंक 65/1, डी आर पी लाइन, मऊ नीमच रोड, मंदसौर-458001, जिला-मंदसौर			

(1)	(2)	(3)	(1)	(2)	(3)
267.	बोरदा 3209	इण्डियन ओवरसीज़ बैंक आल्टीमेट इंग्लिश विला, मेन कोलार रोड, ग्राम-बोरदा-462042 जिला-भोपाल	277.	बरियातु रोड (0672)	इण्डियन ओवरसीज़ बैंक आमरपाली बिल्डिंग, बरियातु रोड, आर एम सी एच, पी.ओ. राँची, पिन : 834008, राँची, जिला : राँची
268.	बालोद (2534)	इण्डियन ओवरसीज़ बैंक पुराने बस स्टैंड के निकट, सरदार लेन, बालोद जिला-दुर्ग, पिन-491226	278.	क्लब रोड (1563)	इण्डियन ओवरसीज़ बैंक गोस्नर कॉलेज, जेल चर्च कॉम्प्लेक्स, मेन रोड, राँची पिन कोड : 834001, जिला : राँची
269.	बैकुंठपुर (2657)	इण्डियन ओवरसीज़ बैंक प्लाट नं. 7, ब्लॉक नं. 8, मेन रोड, बैकुंठपुर, जिला-कोरिया, पिन-497335	279.	पुरुलिया रोड (1508)	इण्डियन ओवरसीज़ बैंक ग्राम गुरु एडुकेशन केंद्र, पुरुलिया रोड राँची, पिन : 834001, जिला : राँची
270.	समता कॉलोनी (2984)	इण्डियन ओवरसीज़ बैंक सी-97, समता कॉलोनी, रायपुर, जिला-रायपुर पिन-492001	280.	हजारीबाग (1486)	इण्डियन ओवरसीज़ बैंक रमेश कॉम्प्लेक्स, बोद्धाम बाजार, के.बी. मार्ग, हजारीबाग, पिन 5 : 825301, जिला-हजारीबाग
271.	जी.ई. रोड (2985)	इण्डियन ओवरसीज़ बैंक साईं टावर, आजाद पुलिस स्टेशन के निकट, अंबापारा, रायपुर, जिला-रायपुर पिन-492001	281.	डकरा (0558)	इण्डियन ओवरसीज़ बैंक डकरा कोलियारी खेलरी, पी.ओ. डकरा, पिन-829210, जिला-राँची
272.	हिरी (3227)	इण्डियन ओवरसीज़ बैंक हिरी, भिला मुआ के निकट, पोस्ट-हिरी, जिला-बिलासपुर, पिन-495222	282.	कांके रोड (1639)	इण्डियन ओवरसीज़ बैंक सेंट्रल कोलफिल्ड लि., कांके रोड, जवाहर नगर, राँची, पिन : 834009, जिला : राँची
273.	राँची मुख्य शाखा (0366)	इण्डियन ओवरसीज़ बैंक आत्माराम भवन, एम जी मार्ग, राधेश्याम लेन, राँची, पिन : 834001, जिला-राँची	283.	मानगो (1564)	इण्डियन ओवरसीज़ बैंक मधुसुधन देवेन्द्र लोक कॉम्प्लेक्स, डिमा रोड, मानगो, जमशेदपुर, पिन : 831013, जिला : पूर्व सिंहभूमि
274.	जमशेदपुर (0424)	इण्डियन ओवरसीज़ बैंक 10 सिल्वर केज मॉल (प्रथम तल) डायगोनल रोड, बिस्तुपुर, जमशेदपुर, पिन : 831001, पश्चिम सिंहभूमि	284.	मरार (0454)	इण्डियन ओवरसीज़ बैंक राँची रोड, मरार, पिन : 829117, जिला : रामगर
275.	बोकारो स्टील सीटी (1246)	इण्डियन ओवरसीज़ बैंक पुराना बाजार बाइ पास रोड, चॉस पीओ, बोकारो, पिन 827013, जिला : बोकारो	285.	बारीडीह (1511)	इण्डियन ओवरसीज़ बैंक मरसी अस्पताल बरीडीह, जमशेदपुर, पिन : 831017, जिला : पूर्वी सिंहभूमि
276.	धनबाद (0593)	इण्डियन ओवरसीज़ बैंक बैंक मोड, कटरस रोड, धनबाद, पिन-826001, जिला-धनबाद	286.	नेवरी (0783)	इण्डियन ओवरसीज़ बैंक विकास विद्यालय नेवरी, पिन : 835217, राँची

(1)	(2)	(3)	(1)	(2)	(3)
287.	खूटी (1182)	इण्डियन ओवरसीज बैंक अपर चौक, मेन रोड, खूटी पिन : 835210, जिला : खूटी	297.	लालगंज (3321)	इण्डियन ओवरसीज बैंक पतंजलि आरोग्यम के पास, खेलगाँव, पी.ओ.-सुगनु, लालगंज, पिन : 835103, जिला : राँची
288.	देवघर (1570)	इण्डियन ओवरसीज बैंक प्रथम तल एल आई सी बिल्डिंग, कचहेरी रोड, देवघर पिन : 814112 जिला : देवघर	298.	इलाहाबाद 0350	इण्डियन ओवरसीज बैंक 61, एम जी मार्ग, सिविल लाइंस, इलाहाबाद, पिन : 211001, जिला-इलाहाबाद
289.	गिरीडीह (0590)	इण्डियन ओवरसीज बैंक मकटपुर एसबीआई मार्ग, गिरीडीह, पिन : 815301, जिला : गिरीडीह	299.	वाराणसी 0370	इण्डियन ओवरसीज बैंक सी 7-34, लहुराबीर मेन क्रासिंग, वाराणसी, पिन : 221001, जिला : वाराणसी
290.	गुमला (1544)	इण्डियन ओवरसीज बैंक सारदा मार्केट कॉम्प्लेक्स, पालकोट रोड, गुमला, पिन : 835207, जिला : गुमला	300.	गोरखपुर, 0452	इण्डियन ओवरसीज बैंक विजया चौक, गोरखपुर, पिन : 273001, जिला-गोरखपुर
291.	सेक्टर 9 (1839)	इण्डियन ओवरसीज बैंक सेक्टर 9ए, “बी” रोड, बोकारो स्टील सिटी, पिन : 827009 जिला : बोकारो	301.	फुलपुर इफको काम्प्लेक्स, 0595	इण्डियन ओवरसीज बैंक धिया नगर, इलाहाबाद, जौनपुर रोड, फुलपुर, पिन : 212404, जिला : इलाहाबाद
292.	आदित्यपूर (3003)	इण्डियन ओवरसीज बैंक होलडिंग नं. 1839, प्रथम तल, टाटा केन्द्र, मेन रोड, आदित्यपुर, पिन : 832109 जिला : सराइकेला खरसवा	302.	वाराणसी कैंट, 1002	इण्डियन ओवरसीज बैंक 52 एवं 53 पटेल नगर कालोनी, मिंट हाउस के पास, नदेसर, वाराणसी कैंट पिन : 221002, जिला : वाराणसी
293.	डलतोनगंज (3021)	इण्डियन ओवरसीज बैंक सूरज नगर, बेलवातिकर, चौक (मेदनी नगर), डलतोनगंज, पोस्ट-डलतोनगंज, पिन : 822101 जिला : पलामू	303.	मनौरी, 1523	इण्डियन ओवरसीज बैंक जी टी रोड, एयरफोर्स स्टेशन गेट, गुरुद्वारा के सामने, मनौरी, पिन : 212208, जिला : इलाहाबाद
294.	चक्रधरपुर (3141)	इण्डियन ओवरसीज बैंक पुराना राँची रोड, रानी सती एनक्लेव चक्रधरपुर, पिन : 833102, जिला : पश्चिम सिंहभूमि	304.	आजमगढ़, 1604	इण्डियन ओवरसीज बैंक रमा काम्प्लेक्स, पंडित दीन दयाल चौक, सिविल लाइन, आजमगढ़, पिन : 276001, जिला : आजमगढ़
295.	डुमरदगा (3152)	इण्डियन ओवरसीज बैंक ग्राउंड फ्लोर राजसथली इन्क्लेव, पी.एस. सदर, पी.ओ. नेवरी, ग्राम-डुमरदगा, पिन : 835217 जिला : राँची	305.	मिर्जापुर, 1618	इण्डियन ओवरसीज बैंक ब्रह्मचारी का कुंआ, रिजर्व पुलिस लाइन के पास, वीआईपी रोड, मिर्जापुर, पिन : 231001, जिला : मिर्जापुर
296.	ओरमांझी (3170)	इण्डियन ओवरसीज बैंक ममता मार्केट, गीना ओरमांझी, ग्राम-दरदंग (ओरमांझी), पी.ओ. ओरमांझी, पिन : 835219, जिला : राँची	306.	फातिमा अस्पताल, गोरखपुर, 1906	इण्डियन ओवरसीज बैंक नया बाईपास रोड, जंगल सालिग्राम, पडरी बाजार, गोरखपुर, पिन : 273001, जिला-गोरखपुर

(1)	(2)	(3)	(1)	(2)	(3)
307.	ग्लेनहिल स्कूल, वाराणसी, 1968	इण्डियन ओवरसीज़ बैंक ग्लेनहिल स्कूल, मंडुआडीह, वाराणसी, पिन : 221103, जिला : वाराणसी	316.	चित्रकूटधाम (कवी), 2472	इण्डियन ओवरसीज़ बैंक 440/2 द्वारका पुरी, मंदाकिनी रोड, बंदा डिविज़न के सामने, जलसंथान, पुरानी बाज़ार, पिन : 210205 जिला : चित्रकूट
308.	सेंट जोसेफ स्कूल, गोरखपुर, 1972	इण्डियन ओवरसीज़ बैंक सिविल लाइंस, गोरखपुर, पिन : 273009, जिला : गोरखपुर	317.	पट्टी, 2511	इण्डियन ओवरसीज़ बैंक हाउस नं. 1, वार्ड नं. 2, सिविल लाइंस, पट्टी, पिन : 230135 जिला-प्रतापगढ़
309.	बैंक रोड शाखा, 2067	इण्डियन ओवरसीज़ बैंक 72, बैंक रोड गोरखपुर, उत्तर प्रदेश, पिन: 273001, जिला : गोरखपुर	318.	महेवा पट्टी, 2556	इण्डियन ओवरसीज़ बैंक 46-बी, पुलिस पोस्ट के सामने, महेवा चौक, नेनी, इलाहाबाद, पिन : 211007 जिला-इलाहाबाद
310.	बड़हलगंज, 2104	इण्डियन ओवरसीज़ बैंक मेन मार्केट रोड, बड़हलगंज, पिन : 273402, जिला-गोरखपुर	319.	महाराजगंज, 2557	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 2034, वार्ड नं. 16, कोतवाली फरेन्द्र रोड, हमीद नगर, नगर पालिका परिषद्, महाराजगंज, पिन : 273303, जिला: महाराजगंज
311.	कोबरा नर्सरी स्कूल, इलाहाबाद, 2163	इण्डियन ओवरसीज़ बैंक 1, करियप्पा रोड नया कैट, सब एरिया हेडक्वार्टर्स, इलाहाबाद, पिन-211001, जिला : इलाहाबाद	320.	चंदौली, 2572	इण्डियन ओवरसीज़ बैंक प्लाट नं. 453, रमा शंकर अस्पताल के बगल में चंदौली, पिन : 232104 जिला : चंदौली
312.	रिजर्व पुलिस लाइन, वाराणसी, 2164	इण्डियन ओवरसीज़ बैंक रिजर्व पुलिस लाइन, पांडेपुर रोड, वाराणसी कैट, वाराणसी, पिन : 221002, जिला : वाराणसी	321.	मुगलसराय, 2859	इण्डियन ओवरसीज़ बैंक हाउस नं. 581, जी टी रोड, नई बस्ती, मुगलसराय, पिन : 232101 जिला : लखनऊ
313.	प्रतापगढ़, 2362	इण्डियन ओवरसीज़ बैंक चावला आर्कैड, भंगवा चुंगी, प्रतापगढ़, पिन : 230001, जिला : प्रतापगढ़	322.	गाज़ीपुर, 2860	इण्डियन ओवरसीज़ बैंक 136, सकलेनाबाद, जेल गेट के सामने, गाज़ीपुर, पिन : 233001, जिला : गाज़ीपुर
314.	सुल्तानपुर- सिविल लाइंस, 2386	इण्डियन ओवरसीज़ बैंक 1077/3, सिविल लाइंस, बस स्टैंड के सामने, सुल्तानपुर, पिन : 228001 जिला : सुल्तानपुर	323.	भदोही, 2983	इण्डियन ओवरसीज़ बैंक 102, स्टेशन रोड, मल्लू तालाब, भदोही, पिन : 221401 जिला : संत रविदास नगर
315.	मउ अइमा, 2471	इण्डियन ओवरसीज़ बैंक 171, स्टेशन रोड, मउ अइमा, इलाहाबाद, पिन : 212501, जिला-इलाहाबाद			

(1)	(2)	(3)	List of Offices/Branches to be Notified Under Rule 10 (4) of Official Language Rule 1976		
			Sr. No.	Branch Code	Name & Address of the Branch
			(1)	(2)	(3)
324.	बस्ती, 3014	इण्डियन ओवरसीज़ बैंक हाउस नं. 680-ए, प्रहलाद कालोनी, सिविल लाइंस, बस्ती, पिन : 272001, जिला : बस्ती			
325.	जौनपुर, 3015	इण्डियन ओवरसीज़ बैंक हाउस नं. 21-ए, प्रभु काम्पलेक्स, हुसैनाबाद, जेयसी चौराहा, जौनपुर, पिन : 222001, जिला : जौनपुर	1.	11961	State Bank of India Opp Sant Baba Bhuri Wale Tarn Taran Road Amritsar Distt. : Amritsar State : Punjab Pin : 143006
326.	भिखीपुर, 3079	इण्डियन ओवरसीज़ बैंक 16 के एचए शर्मा टावर्स, भिखीपुर, पो.बा.-मिर्जापुराद, पिन : 221307 जिला : वाराणसी	2.	14651	State Bank of India #2320/14, Main Bazar, Bus Stand, Amritsar State : Punjab Pin : 143001
327.	अनपरा, 3123	इण्डियन ओवरसीज़ बैंक 234/4, अनपरा बाज़ार, सिनेमा रोड, पो.बा.-अनपरा, पिन : 231225 जिला : सोनभद्र	3.	15903	State Bank of India 54 INF-BDE Opposite Dream Land Palace Gate No. CP-6 Khasa, State : Punjab Pin : 143017
328.	राबर्ट्सगंज, 3124	इण्डियन ओवरसीज़ बैंक प्लॉट नं. 337, देवदीप काम्पलेक्स, चन्दी तिराहा के पास, राबर्ट्सगंज, पिन : 231216 जिला : सोनभद्र	4.	16308	State Bank of India SGRC Hospital, Chhapara Singh, Mehta Road, Amritsar Distt. : Amritsar State : Punjab Pin : 143501
329.	खलीलाबाद, 3326	इण्डियन ओवरसीज़ बैंक हाउस नं. 136, वार्ड बाज़ार, उत्तर गोला बाज़ार, नेहरू चौक के पास, खलीलाबाद, पिन : 272175 जिला : संत कबीर नगर	5.	5286	State Bank of India CAC Town Hall, Amritsar Distt. : Amritsar State : Punjab Pin : 143001
MINISTRY OF FINANCE (Department of Financial Services) New Delhi, 21st May, 2014			6.	16142	State Bank of India Opp. Dasmesh Sweet Shop College Road, Gurdaspur State : Punjab Pin : 143521
S.O. 2433. —In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for official purpose of the union) Rules, 1976, the Central Government, hereby notifies the listed branches/offices of the following Banks in the attached annexure, more than 80% of the staff whereof have acquired the working knowledge of Hindi.			7.	16421	State Bank of India Near Simbal Chowk Mamun, Pathankot State : Punjab Pin : 145001
Serial No.	Name of the Banks	Number of Branches/Offices	8.	14657	State Bank of India #219, Gandhi Nagar, Gurdaspur Road, Pathankot State : Punjab Pin : 145001
1.	State Bank of India	45			
2.	State Bank of Mysure	53			
3.	Andhra Bank	48			
4.	Indian Overseas Bank	183			
Total		329			

[F. No. 11016/13/2013-Hindi]

Dr. VED PRAKASH DUBEY, Jt. Director (OL)

(1)	(2)	(3)	(1)	(2)	(3)
9.	5292	State Bank of India C.A.C., Main Branch Building Pathankot, State : Punjab Pin : 145001	19.	16141	State Bank of India Ward-4, Near PNB Chowk Main Road, Tanda State : Punjab Pin : 144204
10.	15875	State Bank of India Regional Business Office, Dhangu Road, Pathankot State : Punjab	20.	16144	State Bank of India 303 D-II Bela Chowk, Ropar State : Punjab Pin : 140001
11.	13515	State Bank of India Kurali, Distt. : Mohali State : Punjab Pin : 140103	21.	15874	State Bank of India Regional Business Office Bhupinder Plaza, Sirhind Road, Patiala, State : Punjab
12.	14630	State Bank of India Booth No. 51 Sector-40 C, Chandigarh Pin : 160036	22.	1623	State Bank of India ADB Vill. Sandhaur Tehsil: Malerkotla Distt. : Sangrur State : Punjab Pin : 148020
13.	14656	State Bank of India # 1010, Sector - 68, Mohali Distt. : Mohali State : Punjab Pin : 160071	23.	1759	State Bank of India Main Branch Patiala Gate Sangrur State : Punjab Pin : 148001
14.	16309	State Bank of India 126, Adjoining Tribune Colony, Railway Road, Baltana Distt. : Mohali State : Punjab Pin : 140604	24.	1762	State Bank of India College Road, Malerkotla State : Punjab Pin : 148023
15.	16413	State Bank of India Chandigarh University Campus, Kharar Morinda Road Tehsil Kharar, Distt. : Mohali State: Punjab Pin : 140413	25.	2333	State Bank of India VPO : Dhanaula Distt. : Barnala State : Punjab Pin : 148105
16.	5283	State Bank of India C.A.C, Sector-7C, Chandigarh Pin : 160007	26.	3316	State Bank of India Manvi Distt. : Sangrur State : Punjab Pin : 148023
17.	17022	State Bank of India UIET, Sector 25 Chandigarh Pin : 160014	27.	3317	State Bank of India Sheron Distt. : Sangrur State : Punjab Pin : 148106
18.	15904	State Bank of India Gill Market Sri Ber Sahib Road, Sultanpur Lodhi State : Punjab Pin : 144626	28.	4200	State Bank of India VPO: Dhuri, Distt. : Sangrur State : Punjab Pin : 140051

(1)	(2)	(3)	(1)	(2)	(3)
29.	5575	State Bank of India, Ladda Kothi, Distt. : Sangrur, State : Punjab, Pin : 148034	39.	16489	State Bank of India, New Grain Market, Bhawanigarh, Distt. : Sangrur, State : Punjab, Pin : 148026
30.	5577	State Bank of India, Anaj Mandi, Sunam, Distt. : Sangrur, State : Punjab, Pin : 148028	40.	16508	State Bank of India, Airawat Shopping Complex, Patiala Cantt, Distt. : Patiala, State : 147001
31.	6341	State Bank of India, Barnala, State : Punjab, Pin : 148101	41.	16198	State Bank of India, RGNU of Law Sidhuwal, Bhadson Road, Sidhuwal, Distt. : Patiala, State : Punjab, Pin : 147001
32.	7400	State Bank of India, Industrial Area, Sangrur, Distt. : Sangrur, State : Punjab, Pin : 148001	42.	16199	State Bank of India, City Branch, Post Office Road, Mandi Gobindgarh, Distt. : Fatehgarh Sahib, State : Punjab, Pin : 147301
33.	7509	State Bank of India, VPO: Fathegarh Panjgrian, Distt. : Sangrur, State : Punjab, Pin : 148025	43.	5179	State Bank of India, Stressed Assets Recovery, Branch, Sector-7C, Chandigarh, Pin : 160007
34.	7521	State Bank of India, Cheema Jodhpur, Distt. : Barnala, State : Punjab, Pin : 148103	44.	5272	State Bank of India, Sarab Amritsar, Spl Comm. Branch, Ist Floor, Ranjit Avenue, Amritsar, Pin- 143001
35.	11913	State Bank of India, Ahmedgarh, Distt. : Sangrur, State : Punjab, Pin : 141001	45.	16901	State Bank of India, Adjacent LG Show Room, Near Hemkund Petrol Pump, Sirhind Road , Patiala, Distt. : Patiala, State : Punjab, Pin : 147004
36.	11914	State Bank of India, New Grain Market, Barnala, Distt. : Barnala, State : Punjab, Pin : 148101	46.		State Bank of Mysore, Vinobanagar Extension, Sagar, Shimoga Distt. 577 401
37.	11915	State Bank of India, Mehal Kalan, Distt. : Barnala, State : Punjab, Pin : 148101	47.		State Bank of Mysore, Nandyal Road, Kadthi - 583 137 Harapanahalli Taluk, Davanagere Distt.
38.	15031	State Bank of India, Leela Bhawan Chowk, 1066/7, Near Gurudwara, Kashmirian, Tripri, Patiala, Distt. : Patiala, State : Punjab, Pin : 147001	48.		State Bank of Mysore, Hosamane Extension Branch, Maruti Krupa Building, Near Subaiyya Hospital, Jail Road, Shimoga

(1)	(2)	(3)	(1)	(2)	(3)
49.		State Bank of Mysore, "Ayya Arcade" Opp: Deepak Petrol Bunk B H Road, Shimoga - 577 201	60.		State Bank of Mysore, Plot No. 109 & 110, Rajajinagar, Sattur, Dharwad - 580 009
50.		State Bank of Mysore, # 778/1, Durgambika School Road, Saraswathi Nagar Badavane Davanagere - 577 005	61.		State Bank of Mysore, 79/A, 12/SP Municipal No.10920, Ward No. 14, Gunjan Complex, Saptapur, Dharwad - 580 001
51.		State Bank of Mysore, # 1946/C-3, Duggavathi Arcade P B Road, Davangere - 577 006	62.		State Bank of Mysore, CTS No. 1986, 1987, & 1988, Near New English School, Bommapur Oni, P B Road, Hubli - 580 028
52.		State Bank of Mysore, CTS No. 48/C, Plot No. 36, Near Bus Stand, Annigeri - 582 201, Dharwad District	63.		State Bank of Mysore, Davangere University Campus, Shivangotri, Tolahunse, Davangere
53.		State Bank of Mysore, Building No. 401, Ward No.1, Indiranagar, Opp. Sajivini Hospital, Behind Bus Stand, Alnavar - 581 103, Dharwad	64.		State Bank of Mysore, APMC Complex, Near Bus Stand, Savanur, Haveri
54.		State Bank of Mysore, TMC No. 1281, V M Malagi Complex, Kustagi Road, Gajendragad - 582 114, Gadag District	65.		State Bank of Mysore, Kundagol Branch, Dharwad Shettar Oni, Kundagol - 581 113 Dharwad District
55.		State Bank of Mysore, CTS No. 3891/2B, Near Shambavi Medicals, Kumbi Complex, Opp Hotel Jyothi, Bazaar Road, Lakshmeshwar - 582116 Gadag District	66.		State Bank of Mysore, Mitra Layout, Medehalli Road, Chitradurga
56.		State Bank of Mysore, Opp: Post Office, Sagar Road, Ripponpete Hosanagar Taluk, Shimoga Distt. -577 426	67.		State Bank of Mysore, # 1946/C3 , Duggavathi Arcade, Harihara Road, Near LIC of India, Davangere
57.		State Bank of Mysore, Jade Village, Soraba Taluk, Shimoga Distt. - 577 419	68.		State Bank of Mysore, Plot No. 109 & 110, Rajajinagar, Sattur, Dharwae, Distt. Dharwad
58.		State Bank of Mysore, Main Road, Talaguppa, Sagar Taluk, Shimoga Distt. - 577 430	69.		State Bank of Mysore, Anugraha, B.H. Road, Vidyanagar, Shivamogga, Shivamogga
59.		State Bank of Mysore, Old Bus Stand Complex, Shiralakoppa, Soraba Taluk, Shimoga Distt. - 577 428	70.		State Bank of Mysore, Guddada Arekere, Sagara Road, Shimoga, Shimoga, Shimoga
			71.		State Bank of Mysore, TPC 853 D/D1/D2, P. D. Shetter Complex, Near KSRTC Bus Stand, Hirekerur

(1)	(2)	(3)	(1)	(2)	(3)
72.		State Bank of Mysore, Navalgund Branch, Ganesh Complex, Near Bus Stand, Navalgund - 582 208, Dharwad District.	83.		State Bank of Mysore, Near A P M C, Hubli-Karwar Road, Kalaghatgi, Kalaghatgi Gadag
73.		State Bank of Mysore, CTS No 1986, 1987, 1988, Opp: New English School, Bammapur Oni, P R Road, Hubli	84.		State Bank of Mysore, CST No. 2115/2116, TMC Road, Market, Nargund
74.		State Bank of Mysore, Shirahatti Branch, Burbure Building, Chubbi Road, Near Bus Stand, Shirahatti - 582 120, Gadag District	85.		State Bank of Mysore, Shiggaon Branch, Raikar Building, Near Old Bus Stand, Shiggaon - 581 205, Haveri District.
75.		State Bank of Mysore, Gujamagadi 582 102 Ron Taluk, Gujamagadi Village, Gadag	86.		State Bank of Mysore, Hebbasur Branch, No. 122, Brahmin Street, Hebbasur Village, Pin 571 342, Chamarajanagar Taluk, Chamrajanagar Dist
76.		State Bank of Mysore, C.T.S.No.3133, Mullanbhavi Cross, Gadag Main Road, Ron, Gadag	87.		State Bank of Mysore, Hoogya Branch, No. 502, Minyam Main Road, Hoogya Village, Pin 571 444, Kollegal Taluk, Chamrajanagar Dist
77.		State Bank of Mysore, Gowramma Maharajpet Building, Old SBI Building, Near New Bus Stand, Hangal	88.		State Bank of Mysore, Honganur Branch 1/6, Brahmin Street, Honague Taluk -Chamrajanagar Distt.
78.		State Bank of Mysore, PB No. 3 S.V.P Colony, Sagar Taluk, Jogfalls, Near Shivmoga	89.		State Bank of Mysore, Doddinduvadi Branch, No. 1489, Govt. High School Road, Doddinduvadi Village, Pin -571 443, Kollegal Taluk, Chamrajanagar
79.		State Bank of Mysore, Talguppa, Shimoga	90.		State Bank of Mysore, Yergamballi Branch, No 907/1, New Extension, Mandal Panchayat Road, Yergamballi-571 441 Yelandur Taluk, Chamrajanagar Dist
80.		State Bank of Mysore, Mundargi Branch, Dr. Y.s. Meti Building, Opp. J.A. College, Main Road, Mundargi - 582118 Gadag District.	91.		State Bank of Mysore, Shagya Branch, Garden House, Thomiyar Palyam Road, Shagya Village - 571 440 Kollegal Taluk, Chamrajanagar Dist
81.		State Bank of Mysore, PB No. 1 B H Road Nidige PO, Shimoga Dist, Malavagoppa, Harige			
82.		State Bank of Mysore, Plot No. 2, R S No. 10 Block No. 2, Chikkenkoppa, Sri Channaveer Andhara, Kalyan Ashram Complex, Main Road, Navanagar, Hubli			

(1)	(2)	(3)	(1)	(2)	(3)
92.		State Bank of Mysore, Tellanur Branch, No. 30 Maramma Street, Tellanur -571440	103.		Andhra Bank, Gundampalli Branch, Dilawarpur Mandal, Adilabad Dist., Andhra Pradesh – 504306
93.		State Bank of Mysore, Ambale Branch, No. 107, S C Street, Ambale Village, Pin-571 441, Yelandur Taluk, Chamrajanagar Dist	104.		Andhra Bank, Boath Branch, Govt. Junior College Road Boath Adilabad Dist. Andhra Pradesh 504305
94.		State Bank of Mysore, Haridarshan Arcade Gonikoppal, Main Road, Virajpet TQ, Kodagu Dist Gonikoppal-571213	105.		Andhra Bank, Kothakonda Branch, Main Road Bheemadevarapalli Mandal, Karimnagar Dist. Andhra Pradesh – 505471
95.		State Bank of Mysore, Mahanandi Complex, P H Road, Bettadapura, Periyapatna Taluk, Bettadapura	106.		Andhra Bank, Kukunoor Branch, H.No.7-91/1 Main Road, Kukunoor, Khammam Dist. Andhra Pradesh- 507114
96.		State Bank of Mysore, Halagur Branch, 688/1, 686/1A, Devagiri, Channapatna Road, 1st Cross, Halagur - 571 421 Malavalli Taluk	107.		Andhra Bank, Bhopal Branch No. 36, Bhadbhada Road, Bhopal, Madhya Pradesh - 462063
97.		State Bank of Mysore, Bellur Cross Branch, 338, Setty Complex, Yeladalli Road, B G Nagar Post, Bellur Hobli -571418 Nagamangala Taluk	108.		Andhra Bank, Lucknow Branch 16, Vidhan Sabha Marg, Lucknow, Uttar Pradesh - 226018
98.		State Bank of Mysore, Mysore Medical College Branch, Medical College Building, Railway Station Road, Mysore - 570 001.	109.		Andhra Bank, Allahabad Branch, P.B. No. 99 92, Johnson Gunj, 158, Pandariba, Allahabad, Uttar Pradesh – 211003
99.		Andhra Bank, Kothapet Branch, Sooravaram Road, Tuni- 533 401 East Godavari Dist. Andhra Pradesh	110.		Andhra Bank, Gita Vatika Branch, Mechanical Workshop, N.E.Railway, Gorakhpur. Uttar Pradesh – 273012.
100.		Andhra Bank, Barnala Branch, Brice Plaza, KC Road, Barnala, Punjab- 148101	111.		Andhra Bank, R.K. Nagar Branch, H. No. 111/155, Plot No. 5, Near Kanika Hospital, Harsh Nagar, Kanpur. U.P. – 208012
101.		Andhra Bank, Nabha Branch Circular Road, Bouran Gate Nabha- 147201	112.		Andhra Bank, Kacheri Branch, Civil Court Premises, Gorakhpur, Uttar Pradesh – 273001
102.		Andhra Bank, Sangarur Branch, Shahid Bhagat Singh Chowk, Sangarur, Punjab-148001			

(1)	(2)	(3)	(1)	(2)	(3)
113.		Andhra Bank Ashoka Garden Branch Pryaas Bhavan, Jail Road, Bhopal, Madhya Pradesh	123.		Andhra Bank Saharanpur Branch 3/6783 Link Road, Opp Hero Honda Agency, Saharanpur, Uttar Pradesh - 247001
114.		Andhra Bank Ayodhya Nagar Branch 49, Junior MIG Ayodhya Nagar, Bhopal. Madhya Pradesh - 462041	124.		Andhra Bank Muzaffarnagar Branch 313/1 South Bhopa Road, Muzaffarnagar, Uttar Pradesh - 251001
115.		Andhra Bank Indira Nagar Branch, Sector 9, Indira Nagar, Lucknow, Uttar Pradesh - 226016	125.		Andhra Bank Murwara Branch Plot No 31, 58, 86 & 87/2, Jai Dayal Road, Subash Chowk, Murwara (Katni) Madhya Pradesh. Pin
116.		Andhra Bank Taramandal Branch Gorakhpur Development Authority, Ramgarh Taal, Deoria Bypass, Gorakhpur Uttar Pradesh	126.		Andhra Bank Mishrikh Branch Nahar Chouraha, Sitapur Road, Mishrikh, Uttar Pradesh. - 261401
117.		Andhra Bank Alam Bagh Branch KSMOWER, CP-1 Cinderdump, Alam Bagh, Lucknow, Uttar Pradesh - 226004	127.		Andhra Bank Sahjanwa Branch , Old Mangal Bazar, Sahjanwa, Gorakhpur Uttar Pradesh - 273209
118.		Andhra Bank Civil Lines Branch, Parinay Kunj, 1/174 Civil Lines, Bagh Farzana Road, Agra, Uttar Pradesh - 282002	128.		Andhra Bank Atrauli Branch, College Road, Near Govardhan Dham, Atrauli, Aligarh, Uttar Pradesh - 202280
119.		Andhra Bank Aligarh Branch 4/1399, Azad Market, Jamia Urdu Medical Road, Civil Lines, Aligarh, Uttar Pradesh - 202002	129.		Andhra Bank Khalilabad Branch Gola Bazar, Main Market, Sant Kabir Nagar, Khalilabad, Uttar Pradesh - 272175
120.		Andhra Bank Bulandshahr Branch 235 Civil Lines, Kala Aam, Bulandshahr, Newdel Uttar Pradesh - 203001	130.		Andhra Bank Mussori Branch Mawana Road, Mussori, Meerut, Uttar Pradesh - 250001
121.		Andhra Bank Bareilly Branch 35 A/8 Rampur Garden, Bareilly, Uttar Pradesh - 243001	131.		Andhra Bank Barabanki Branch, Verma Market East End, Faizabad Road, Barabanki, Uttar Pradesh - 225001
122.		Andhra Bank Mathura Branch 1947/1 and A Kalindi Kunj, Dampier Nagar, Station Road, Mathura, Uttar Pradesh - 281001.	132.		Andhra Bank Sitapur Branch, M M Mehrotra Bhawan, 13 B Station Road, Sitapur, Uttar Pradesh.

(1)	(2)	(3)	(1)	(2)	(3)
133.		Andhra Bank Deoria Branch Plot No 328, Kotwali Road, Deoria, Uttar Pradesh - 274001	142.		Andhra Bank Vikas Nagar Branch CP-1, PG 0WER, Kurshi Road, Vikas Nagar, Lucknow, Uttar Pradesh - 226010
134.		Andhra Bank Medrapar Branch Medrapar Village, Bakhira Post, Baghauli Block, Sant Kabir Nagar, Uttar Pradesh - 272159	143.		Andhra Bank Delhi Road Branch Gandhi Complex, Delhi Road, Moradabad, Uttar Pradesh - 244001
135.		Andhra Bank Vrindavan Branch 225 Raman Reti, Shriji Palace, Vrindavan, Uttar Pradesh - 281121	144.		Andhra Bank Jhansi Branch 372/44-45, Gwalior Road, Civil Lines, Jhansi, UP-284001
136.		Andhra Bank Gomti Nagar Branch Gomti Nagar II, Vinay Khand, Lucknow, Uttar Pradesh - 226010	145.		Andhra Bank Etawah Branch 759-C, Harsh Nagar, Kachehri Road, Etawah, UP-206001
137.		Andhra Bank Dhanupura Branch Village Lodhipur, Rajput, Delhi Rd, Dhanupura, Dist. Moradabad, Uttar Pradesh- 244102	146.		Andhra Bank Gonda Branch H. No. 45, Guddumal Circle, Malviya Nagar, Gonda, UP 271001
138.		Andhra Bank Bijnor Branch Shyam Vihar, Kiratpur Road, Bijnor, Lucknow, Uttar Pradesh - 226701.	147.	Akbara, 3051	Indian Overseas Bank VII. Akbara, Post: Artoni, Tehsil - Kirawali, Distt. Agra - 282007 (UP)
139.		Andhra Bank Pallavpuram Branch C-3/1. Pocket-T, Pallavpuram- Pahse-II, Meerut, Uttar Pradesh - 250110	148.	Etah, 2997	Indian Overseas Bank Hotel Shikhar, Agra Road, Near New Bus Stand, Etah - 207001(UP)
140.		Andhra Bank Aung Branch Village & PO Aung, G T Road, Dist Fatehpur, Uttar Pradesh - 212665	149.	Firozabad, 3011	Indian Overseas Bank In front of Main Post Office, Avas Vikas Colony, Suhag Nagar, Firozabad - 280201
141.		Andhra Bank Vijanagar Branch UG-18, 19 & 20, Ground Floor, Mangal Plot No A-1PU-4, Commercial Scheme, AB Road, Vijay Nagar, Indore, Madhya Pradesh - 452001	150.	Major Corporate Branch, 2745	Indian Overseas Bank Major Corporate Branch, Forth Floor, Rachna Cinema Building, 2 Rajendra Place, Pusa Road, New Delhi- 110008
			151.	Mid Corporate Branch, 2746	Indian Overseas Bank Major Corporate Branch, Forth Floor, Rachna Cinema Building, 2 Rajendra Place, Pusa Road, New Delhi- 110008

(1)	(2)	(3)	(1)	(2)	(3)
152.	Jungpura, 2792	Indian Overseas Bank 115, Masjid Road, Jungpura, New Delhi- 110014	164.	C-Scheme, 2137	Indian Overseas Bank J-54-C SUNRISE, Prithviraj Road, C-Scheme, Jaipur, Pin - 302001 Dist. Jaipur
153.	Kirtinagar, 2964	Indian Overseas Bank 1-107 A, Ground Floor, Kirtinagar, New Delhi- 110015	165.	Deoli, 2371	Indian Overseas Bank Plot No. 1, Prem Kunj, Behind Peer Baba Patel Nagar, Deoli, Pin : 304804 Dist. Tonk
154.	Sector -11 Rohini, 3248	Indian Overseas Bank, Titiksha Public School, Sector -11 Rohini, New Delhi- 110085	166.	Fatehpur, 1404	Indian Overseas Bank 17 Parihar Shopping Centre, Sikariya Chauraha, Shehawati, Fatehpur, Pin : 332301 Dist. Sikar
155.	Badarpur, 3249	Indian Overseas Bank, 416, Near Tuglakabad Metro Station, Mathura Road, Badarpur, New Delhi- 110044	167.	M.I. Road, Jaipur, 158	Indian Overseas Bank 11 Rituraj Building, M.I. Road, Jaipur, Pin : 302001 Dist. Jaipur
156.	Ajmer, 476	Indian Overseas Bank R.C. Diocesan Society of Ajmer Kesarganj, Ajmer, Pin : 305001 Dist. Ajmer	168.	Jodhpur, 901	Indian Overseas Bank Plot No. 1, Sunshine Building, (1 Floor), Nai Sarak, Jodhpur Pin : 242001 Dist. Jodhpur
157.	Alwar, 385	Indian Overseas Bank UGF DREAMS, Opp. Govt. Children Hospital, Near Old Power House Road, Gourav Path, Alwar City, Pin : 301001 Dist. Alwar	169.	Kishangarh, 1909	Indian Overseas Bank Plot No. D - 108 (A-2), NH - 8, Kishangarh, Pin : 305801 Dist. Ajmer
158.	Alwar Gate Ajmer, 1668	Indian Overseas Bank Nasirabad Road, Alwar Gate, Ajmer, Pin : 305001 Dist. Ajmer	170.	Kota, 1471	Indian Overseas Bank 15 Vallab Nagar, Rawat Vata Road, Kota, Pin : 327004 Dist. Kota
159.	Bombay Circle, Jodhpur, 1871	Indian Overseas Bank Showroom No.3, Ranveer Bhawan, 9th Chopasani Road, Jodhpur, Pin : 342001	171.	Karauli, 2228	Indian Overseas Bank Ajay Niwas, Gulab Bagh, Karauli, Pin : 322241 Dist. Karauli
160.	Bani Park, 562	Indian Overseas Bank A/C-2, Jaisingh Circle, Near Collectorate, Bani Park, Jaipur, Pin : 302006 Dist. Jaipur	172.	Khetri Nagar, 2173	Indian Overseas Bank Central School Campus No.1, Khetri Nagar, Jhunjhunu, Pin : 333504 Dist. Jhunjhunu
161.	Bhilwara, 1487	Indian Overseas Bank No.1-5 Akar Towers, Old RTO Road, Bhilwara Pin : 311001 Dist. Bhilwara	173.	Kolihan Nagar, 481	Indian Overseas Bank C-17 Kolihan Nagar, Khetri Pin : 333503 Dist. Jhunjhunu
162.	Bikaner, 1608	Indian Overseas Bank 8 Pokar Quarters, Chaupra Katla, Rani Bazar, Bikaner, Pin : 334001 Dist : Bikaner	174.	Malviya Nagar, 1549	Indian Overseas Bank D-672 Malviya Nagar, Jaipur, Pin : 302017 Dist. Jaipur
163.	Bhiwadi, 2166	Indian Overseas Bank Plot No.3 A/7, UIT Colony, Gaurav Path, Bhiwadi			

(1)	(2)	(3)	(1)	(2)	(3)
175.	Mansarovar, 1622	Indian Overseas Bank IIRM Campus, Tagore Marg, Sector 11, Agarwal Farm, Mansarovar, Jaipur Pin : 302020 Dist. Jaipur	186.	Manchwa, 3223	Indian Overseas Bank Village Manchwa, Main Kalwar Road, Near Panchayat Samiti, Tehsil Jhotwara, Jaipur, Pin : 302012
176.	Mubarakpur, 653	Indian Overseas Bank Near Bus Stand, Kishangarh Road, Vill & Post Mubarakpur, Pin : 301025 Dist. Alwar	187.	Asset Recovery Management, 2594	Indian Overseas Bank Avanbai Mansion, Vidhan Sabha Marg, Lucknow- 226001, U.P.
177.	Rajendra Nagar, 2174	Indian Overseas Bank C/O Adarsh Vidhya Mandir School, Rajendra Nagar, Alwar, Pin : 301001 Dist. Alwar	188.	Bahraich, 2675	Indian Overseas Bank Civil Lines, Opp Sneh Utsav, Near Indira Stadium, Dist- Bahraich- 271801, U.P,
178.	Roopbas, 3100	Indian Overseas Bank S 42 - 45 Vanasthali Mod P O, Niwai Taluk Industrial Area, 11 D Center Village Roopbas, Pin : 304022 Dist. Tonk	189.	Gonda, 2676	Indian Overseas Bank H.No. 331, Mohalla Chhedipurva, Bargaon Police Chouki, Bahraich Road, Dist- Gonda, U.P., Pin- 271002
179.	Sikar Road, 1693	Indian Overseas Bank Sri Bhawani Niketan College Campus, Sikar Road, Jaipur, Pin : 302023 Dist. Jaipur	190.	Kannauj, 2978	Indian Overseas Bank 7 Sarai Bahadur, Dist.- Kannauj, U.P., Pin- 209725
180.	Sitapura, 1926	Indian Overseas Bank G-89 EPIP, RIICO Industrial Area, Sitapura, Jaipur, Pin : 302022	191.	Fatehpur, 2990	Indian Overseas Bank 176/ 154 C, Krishna Tower, Collector Ganj, Dist.- Fatehpur- 212601, U.P.
181.	Sriganganagar, 1917	Indian Overseas Bank 5 - A - 8 Meera Marg, Jawahar Nagar, Sriganganagar, Pin : 335001 Dist. Ganganagar	192.	Govind Nagar, 3022	Indian Overseas Bank 126/ F-1, Govind Nagar, Dist.- Kanpur Dehat, U.P., Pin- 208006
182.	Tilak Nagar, 381	Indian Overseas Bank 4 Shopping Centre, Tilak Nagar Market, Tilak Nagar, Jaipur, Pin : 302004 Dist. Jaipur	193.	Kidwai Nagar, 3024	Indian Overseas Bank 133/34 "O" Block, Kidwai Nagar, Dist.- Kanpur Dehat, U.P., Pin- 208023
183.	Udaipur, 645	Indian Overseas Bank 10 Panchasheel Marg, (Opp Town Hall), I Floor, Udaipur, Pin : 313001 Dist. Udaipur	194.	Mahanagar, 3025	Indian Overseas Bank B-67, Sector- C, Mahanagar, Lucknow- 226006, U.P.
184.	Vaishali Nagar, 1539	Indian Overseas Bank "F - Block" Plot No. S.R. 3-A, Near Community Centre, Amrapali Marg, Vaishali Nagar, Jaipur, Pin : 302021 Dist. Jaipur	195.	Rapid Retail Centre, 3056	Indian Overseas Bank Navchetna Kendra, 10 Ashok Marg, Lucknow- 226 001, U.P.
185.	ARM Jaipur, 2576	Indian Overseas Bank Regional Office, Jaipur, First Floor, Ridhi Tower, SB-57, Bapu Nagar, Tonk Road, Jaipur, Pin : 302015	196.	Bhuye Mau, 3071	Indian Overseas Bank Vill. & P.O.- Bhuye Mau, Mazra Muliha Mau, Dist.- Rae Bareli- 229001, U.P.
			197.	Ahma Mau, 3072	Indian Overseas Bank Opp. Prithvi Guest House, Sultanpur Road, Ahma Mau, Lucknow- 226001, U.P.

(1)	(2)	(3)	(1)	(2)	(3)
198.	Sidhauli, 3195	Indian Overseas Bank Teacher Coloney, Bagadurpur, Opp. Gandhi Vidyalay- Inter College, Sidhauli- 261303, Dist.- Sitapur, U.P.	209.	Neora, 3062	Indian Overseas Bank Surendra Medical College and Hospital, Near Shivala More, Dist Patna, Pin Code – 801113
199.	Banthra, 3232	Indian Overseas Bank Rajput Nursing Home, Opp. Banthra Thana, Banthra Sikandarpur- 227101 Dist.- Lucknow, U.P.	210.	Kanti, 2760	Indian Overseas Bank Shankar Market, Kanti Chowk, Near Post Office, Muzaffarpur, Pin Code – 843109
200.	Arya Samaj Road, 3001	Indian Overseas Bank D.A.V. Inter College Building, First Floor, Arya Samaj Road, Mujjafarnagar, Pin-251001, U.P.	211.	Motihari, 2851	Indian Overseas Bank 2nd floor Sharan Complex, Town hall, Motihari, Dist East Champaran, Pin code – 845401
201.	R.G.M. Inter College, 2803	Indian Overseas Bank R.G.M. Inter College, Chhipi Tank, Meerut, Pin-251001, U.P.	212.	Dullipatti, 3206	Indian Overseas Bank Vill. & Post Dullipatti, PS Jainagar, District Madhubani, Pin Code – 847226
202.	Shahajahapur, 2801	Indian Overseas Bank Gatuka Lodge, Govind Ganj Branch, Distt- Shahajahapur, Pin- 242001, U.P.	213.	Mohanabariam, 3207	Indian Overseas Bank Vill Mohanbariam, Post Kanhouli, via-Sakri, Dist Madhubani, Pin Code – 847239
203.	Bijnaur, 3002	Indian Overseas Bank Bhatal, Civil Lines 11, Infront of Numaish Ground, Distt- Bijnaur, Pin- 246701, U.P.	214.	Nawada, 2865	Indian Overseas Bank 1st Floor Gayatri Devi Bhavan Old Bus Stand, Gaya Road Par Nawada, Pin code – 805110
204.	Saharanpur, 2981	Indian Overseas Bank SME Branch, A- 8, Aavas Vikas, Delhi Road, Saharanpur, Pin- 247001, U.P.	215.	Kishanganj, 2913	Indian Overseas Bank Shabnam Market Paschimpali Chowk, Kishanganj Pin code – 855108
205.	Amroha, 2980	Indian Overseas Bank Bhatal, Pakka bhag, Bijnaur Road, Jyotiba, Fulenagar, Amroha, Pin- 244221, U.P.	216.	Sasaram, 3167	Indian Overseas Bank Shree Balaji Complex, G.T. Road, Dist: Rohtas, Sasaram Pin Code – 821115
206.	Pilibheet Branch, 2802	Indian Overseas Bank Pilibheet branch, 94- Ashok Colony, Civil Lines, South Pilibheet, Pin- 262001, U.P.	217.	Bettiah, 3168	Indian Overseas Bank Maruti Maker Building, Supriya Road, Bettiah, Dist West Champaran, Pin code – 845438
207.	Chandausi Branch, 2800	Indian Overseas Bank Chandausi Branch, 2- Saket Colony, Chandausi, Pin- 202412, U.P.	218.	C.B.O, 3012	Indian Overseas Bank City Back Office, 401 Adharshila Complex, South Gandhi Maidan, Patna, Dist Patna, Pin code - 800001
208.	Fatuha, 2761	Indian Overseas Bank Main Road, Near Gas Godown, Dariyapur, Nayatola, Fatuha, Dist Patna, Pin code: 803201	219.	RRC, 3013	Indian Overseas Bank Rapid Retail Center, 401 Adharshila Complex, South Gandhi Maidan, Patna, Dist Patna, Pin code - 800001

(1)	(2)	(3)	(1)	(2)	(3)
NCR Delhi Region			231.	Rudrapur, 1591	Indian Overseas Bank I Floor SGAD Shopping Complex Nainital Road, PIN : 263153 Dist : Udham Singh Nagar
220.	Sainik Colony, 3349	Indian Overseas Bank SCF 66 Sainik Colony, Sector-49, Commercial Market, Opp DAV School, Faridabad-121001	232.	Haridwar, 1692	Indian Overseas Bank Near Shanti Kunj, Bhupatwala, (Uttarakhand) Haridwar Pin : 249410 Dist : Haridwar
221.	Sector-8, Faridabad, 3376	Indian Overseas Bank SCF. 203, Sector-8, Huda Market, Faridabad	233.	Patel Nagar, 2383	Indian Overseas Bank 32 Co-operative Industrial Area Patel Nagar, Dehradun PIN : 248002 Dist : Dehradun
222.	Rapid Retail Centre, Gurgaon, 3343	Indian Overseas Bank First Floor Yadav Bhavan, Old Railway Road, Gurgaon-122001	234.	Kotdwar, 2543	Indian Overseas Bank Near Maheswari Automobiles Najibabad Road, Kotdwar PIN : 246149 Dist : Garhwal
223.	Sector-5, Gurgaon, 3374	Indian Overseas Bank Shop.No. 2, Near Sheetla Associates, Sheetla Mata Mandir Road, Opp Sec-5, Gurgaon	235.	Dhandera, 2544	Indian Overseas Bank PO & Vill Dhandera Pin : 247667, Dist : Haridwar, PO & Vill. Dhandera Pin : 247667 Dist : Haridwar
224.	Chhajarsa, 3178	Indian Overseas Bank CH Block Village, Chhajarsa, Opposite Sector 63, Noida-201307	236.	Nainital, 2804	Indian Overseas Bank 111-112 M/s Gangolas Chemist's Talli Tal Nainital PIN : 263002 Dist : Nainital
225.	Sharfabad, Noida, 3315	Indian Overseas Bank Sector-73 Lakshmi Complex, Sharfabad, Noida-201301	237.	Bageshwar, 2900	Indian Overseas Bank Tehsil Road Bageshwar PIN : 263642 Dist : Bageshwar
226.	Jalpura- Haldoni, 3364	Indian Overseas Bank Khasara No. 689, Chaudhary Bibari Singh Market, Jalpura Haldoni Mod, Post Kuleshra-201306	238.	Specialized SME, Shivalik Nagar, 2901	Indian Overseas Bank D-17 Shivalik Nagar, Phase I, BHEL Elysium Guest House, Ranipur Haridwar PIN : 249403 Dist : Haridwar
227.	Sector-22, Noida, 3375	Indian Overseas Bank Opp J-55, Village Chaura Sector-22, Noida-201301	239.	Bharuwala Grant, 3113	Indian Overseas Bank Village Bharuwala Grant PO Clement Town, Dehradun TK PIN : 248002 Dist : Dehradun
Dehradun Region			240.	Bahadarpur Jat, 3211	Indian Overseas Bank Village: Bahadurpur Jat Block Bahadrabad PIN : 249404 Dist : Haridwar
228.	Rishikesh, 1458	Indian Overseas Bank Omkananda Bhawan Muni Ki Reshikesh Pin : 249201 Dist : Tehri Garhwal	241.	Sarai, 3212	Indian Overseas Bank Village Sarai Block Bahadrabad PIN : 249404 Dist : Haridwar
229.	Haldwani, 1467	Indian Overseas Bank Hotel Kanta, Kanta Complex Mangal Parao Bareilly Road, Haldwani, Pin : 263139 Dist : Nainital			
230.	Nehru Colony, 1489	Indian Overseas Bank 160 Haridwar Road, Nehru Colony, Dehradun Pin : 248001 Dist : Dehradun			

(1)	(2)	(3)	(1)	(2)	(3)
242.	Malsi, 3213	Indian Overseas Bank Village Malsi Block Sahaspur PIN : 248003 Dist : Dehradun	252.	Rewa, 2872	Indian Overseas Bank NH-7, Near Bus Stand, beside Aditya Hotel, Rewa - 486 001
243.	Nathan Pur, 3214	Indian Overseas Bank Village Nathan Pur Post Office Nehru Gram Block Raipur PIN : 248010 Dist : Dehradun	253.	Balaghat, 2873	Indian Overseas Bank Ward No.15, Main Road, Balaghat - 481 001, Distt. Balaghat
244.	Motharo Wala, 3215	Indian Overseas Bank Village Motherowala Block Raipur Teh: Pachchua Doon PIN : 248115 Dist : Dehradun	254.	Chattarpur, 2954	Indian Overseas Bank Plot No. 243, 24 Jawahar Marg, Chattarpur - 471 001, Distt. Chattarpur
245.	Dehradun Regional Office, 2952	Indian Overseas Bank 595 Indira Nagar, Malik Chowk, Dehradun Pin : 248006 Uttaranchal	255.	Guna, 2956	Indian Overseas Bank Plot No. 96, Main Road, Guna - 473 001, Distt. Guna
Bhopal Region			256.	Jauri, 2958	Indian Overseas Bank In front of Beej Bhandar, Jaura Road, Jauri - 476 001, Distt. Morena
246.	Dimni, 2536	Indian Overseas Bank H. No. 67, Nagara Baba Road, Post-Dimni, Tehsil - Amba, District - Morena - 476134	257.	Mandsaur, 2957	Indian Overseas Bank 65/1, DRP Line, Mau Neemach Road, Mandsaur - 458 001
247.	Rairu, 2533	Indian Overseas Bank 11 & 11, Ramji Market, Kulaith Road, Near Milawali Railway Station, Rairu, Dist. Gwalior-474 010	258.	Neemach, 2936	Indian Overseas Bank 20, Scheme No.1, Town Hall Road, Neemach - 458441, Dist. Neemach
248.	Indore Mid Corporate, 2639	Indian Overseas Bank Scheme No.54, Shree Satya Sai Vidya Vihar Compound, Bombay Hospital Road, Vijay Nagar, Indore - 452 010	259.	Purani Chawni, 2953	Indian Overseas Bank Survey No.882, Near Tata Mobile Tower, Purani Chawni - 474 101, Dist. Gwalior
249.	Datia, 2640	Indian Overseas Bank H. No. 99/2, In front of Nagar Palika Bhawan, Datia - 475 661	260.	Seoni, 2959	Indian Overseas Bank 436, Near Mahavir Madhiya, GN Road, Mangalipeth, Ajad Ward, Seoni - 480 661, Dist. Seoni
250.	Gwalior - Thatipur, 2655	Indian Overseas Bank H. No. 88, Mayur, Saket, Thatipur - 474 011, Distt. Gwalior	261.	Purasani, 3132	Indian Overseas Bank H. No. 3733, A Block, Sithauli Road, Near Railway Station, In front of Railway Spring Factory, Vill. Purasani, Post - ITM College - 474001, Dist. Gwalior
251.	Bhind, 2656	Indian Overseas Bank H. No. 363, Ward No.12, Gwalior Main Road, Bhind - 477 001, Distt.Bhind	262.	Nainod, 3131	Indian Overseas Bank Plot No.139, Gandhinagar, Vill. Nainod - 453112, Dist. Indore

(1)	(2)	(3)	(1)	(2)	(3)
263.	Bhawrasala, 3130	Indian Overseas Bank Plot No.40, 41, Shakanbari, Avenue Colony, Post. Shri Arbindo S A , Vill - 453555, Dist. Indore	273.	Ranchi Main, 0366	Indian Overseas Bank Athmaram Bhavan, M G Marg, Radhesyam Lane Ranchi, Pin : 834001 Dist : Ranchi
264.	Pipliya Bajkhan, 3133	Indian Overseas Bank Plot No.7 & 8, Pipaliya Bajkhan Road, Bhanpur - 462010, Dist. Bhopal	274.	Jamshedpur, 0424	Indian Overseas Bank 10 Silver Cage Mall (I Floor) Diagonal Road, Bistupur Jamshedpur, Pin : 831001 Dist : Paschimi Singhbhum
265.	Satna, 3188	Indian Overseas Bank Khasra No. 252, Satna Building, Rewa Road, Satna - 485 001, Dist. Satna	275.	Bokaro Steel City, 1246	Indian Overseas Bank Purana Baz By Pass Road, Chas PO Bokaro, Pin : 827013 Dist : Bokaro
266.	Virpur, 3189	Indian Overseas Bank Imali Naka, Virpur, 474 001, Gwalior	276.	Dhanbad, 0593	Indian Overseas Bank Bank More Katras Road, Dhanbad Pin : 826001 Dist : Dhanbad
267.	Borda, 3209	Indian Overseas Bank Ultimate English Villa, Mian Kolar Road, Vill. Borda - 462042, Dist. Bhopal	277.	Bariatu Road, 0672	Indian Overseas Bank Amrapali Building Bariatu Road, R M C H P.O. Ranchi, Pin : 834008 Dist : Ranchi
Raipur Region			278.	Club Road, 1563	Indian Overseas Bank Gossner College Gel Church Complex, Main Road Ranchi, Pin : 834001 Dist : Ranchi
268.	Balod, 2534	Indian Overseas Bank Near Old Bus Stand, Sardar Line Balod, PIN : 491226 Dist : Durg	279.	Purulia Road, 1508	Indian Overseas Bank Gram Guru Education Centre, Purulia Road, Ranchi, Pin : 834001 Dist : Ranchi
269.	Baikundpur, 2657	Indian Overseas Bank Plot No 7, Ward No 8, Main Road Baikunthpur, PIN : 497335, Dist : Koriya	280.	Hazaribagh, 1486	Indian Overseas Bank Remesh Complex, Boddam Bazar, K.B. Marg, Hazaribagh, Pin : 825301 Dist : Hazaribag
270.	Samta Colony, 2984	Indian Overseas Bank C-97, Samta Colony, Raipur, PIN : 492001 Dist : Raipur	281.	Dakra, 0558	Indian Overseas Bank Dakra Colliery, Khelari P.O. Dakra, Pin : 829210 Dist : Ranchi
271.	G E Road, Raipur, 2985	Indian Overseas Bank Sai Tower Near Azad Police Station, Amapara Raipur, PIN : 492001 Dist : Raipur	282.	Kanke Road, 1639	Indian Overseas Bank Central Coal Fields, Lt. Kanke Road, Jawahar Nagar, Ranchi, Pin : 834009 Dist : Ranchi
272.	Hirri 3227	Indian Overseas Bank At Hirri, Near Bilha Moae, PO - Hirri PIN : 495222 Dist : Bilaspur			

(1)	(2)	(3)	(1)	(2)	(3)
283.	Mango, 1564	Indian Overseas Bank Madhusudan Devendra Lok Complex, Dimna Road, Mango, Jamshedpur, Pin : 831013 Dist : Purbi Singhbhum	293.	Daltonganj, 3021	Indian Overseas Bank Suraj Nagar, Belwatikar Chowk (Medini Nagar), Daltonganj P O Daltonganj Pin : 822101 Dist : Palamau
284.	Marar, 0454	Indian Overseas Bank Ranchi Road, Marar, Pin : 829117 Dist : Ramgarh	294.	Chakradharpur, 3141	Indian Overseas Bank Old Ranchi Road Rani Sati Enclave Chakradarpur Pin : 833102 Dist : Paschimi Singhbhum
285.	Baridih, 1511	Indian Overseas Bank Mercy Hospital Baridih, Jamshedpur Pin : 831017 Dist : Purbi Singhbhum	295.	Dumardaga, 3152	Indian Overseas Bank Ground Floor Rajasthali Enclave P. S Sadar P.O. Neori Vill - Dumardaga Pin : 835217 Dist : Ranchi
286.	Neori, 0783	Indian Overseas Bank Vikas Vidyalaya Neori Pin : 835217 Dist : Ranchi	296.	Ormanjhi, 3170	Indian Overseas Bank Mamta Market, Thana Ormanjhi Vill - Dardang (Ormanjhi) P. O. Ormanjhi Pin : 835219 Dist : Ranchi
287.	Khunti, 1182	Indian Overseas Bank Upper Chowk Main Road Khunti Pin : 835210 Dist : Khunti	297.	Lalganj, 3321	Indian Overseas Bank Beside Patanjali Arogyam Khelgaon, P O - Sugnu Lalganj Pin : 835103 Dist : Ranchi
288.	Deoghar, 1579	Indian Overseas Bank I Floor L I C Buildings Kutchery Road Deoghar Pin : 814112 Dist : Deoghar	298.	Allahabad, 0350	Indian Overseas Bank 61, M.G Marg, Civil Lines, Allahabad, Pin-211001, Distt : Allahabad
289.	Giridih, 0590	Indian Overseas Bank Makatpur Bi Marg, Giridih Pin : 815301 Dist- Giridih	299.	Varanasi, 0370	Indian Overseas Bank C7-34, Lahurabir Main Crossing, Varanasi, Pin-221001, Distt : Varanasi
290.	Gumla, 1544	Indian Overseas Bank Sharda Market Complex Palkot Road, Gumla Pin : 835207 Dist : Gumla	300.	Gorakhpur, 0452	Indian Overseas Bank Vijaya Chowk, Gorakhpur, Pin : 273001, Distt : Gorakhpur
291.	Sec IX, 1839	Indian Overseas Bank Sector 9 A "B" Road, Bokaro Steel City Pin : 827009 Dist : Bokaro	301.	Phulpur (Iffco Compex), 0595	Indian Overseas Bank Ghiya Nagar, Allahabad, Jaunpur Road, Phulpur, Pin : 212404, Distt : Allahabad
292.	Adityapur, 3003	Indian Overseas Bank Holding No 1839 1st Floor Tata Kendra, Main Road Adityapur Pin : 832109 Dist : Saraikela Kharsawa	302.	Varanasi Cantonment, 1002	Indian Overseas Bank 52 & 53 Patel Nagar Colony, Near Mint House, Nadeshwar, Varanasi Cantonment, Pin: 221002, Distt: Varanasi

(1)	(2)	(3)	(1)	(2)	(3)
303.	Manauri, 1523	Indian Overseas Bank G T Road, Off Airforce Station Gate, Opp. Gurudwara, Manauri, Pin : 212208, Allahabad	313.	Pratapgarh, 2362	Indian Overseas Bank Chawla Arcade Bhangwa Chungi Pratapgarh Pin : 230001 Dist : Pratapgarh
304.	Azamagarh, 1604	Indian Overseas Bank Rama Complex, Pandit Deen Dayal Chowk, Civil Line, Azamgarh, Pin : 276001, Distt : Allahabad	314.	Sultanpur - Civil Lines, 2386	Indian Overseas Bank 1077/3 Civil Lines Opp to Bus Stand Sultanpur Pin : 228001 Dist : Sultanpur
305.	Mirzapur, 1618	Indian Overseas Bank Brahmchari ka kuan, Near Reserve Police Line, VIP Road, Mirzapur, Pin : 231001, Distt: Mirzapur	315.	Mau Aima, 2471	Indian Overseas Bank 171 Station Road, Mau Aima, Allahabad Pin : 212501 Dist : Allahabad
306.	Fatima Hospital, Gorakhpur, 1906	Indian Overseas Bank New Bye-Pass Road, Jungle Saligram, Padri Bazaar, Gorakhpur, Pin : 273001, Distt – Gorakhpur	316.	Chitrakootdham (Karvi), 2472	Indian Overseas Bank 440/2 Dwaraka Puri, Mandakini Road, Opp Banda Division Jalsanthan, Purani Bazar Pin : 210205 Dist : Chitrakoot
307.	Glenhill School, Varanasi, 1968	Indian Overseas Bank Glenhill School, Manduadih, Pin: 221103, Distt: Varanasi	317.	Patti, 2511	Indian Overseas Bank H No 1 Ward No 2 Civil Lines Patti Pin : 230135 Dist : Pratapgarh
308.	St. Joseph School, Gorakhpur, 1972	Indian Overseas Bank Civil Lines, Gorakhpur Pin : 273009, Distt: Gorakhpur	318.	Mahewa Patti, 2556	Indian Overseas Bank 46-B Opp Police Post Mahewa Chowk, Naini Allahabad Pin : 211007 Dist : Allahabad
309.	Bank Road Branch, 2067	Indian Overseas Bank 72, Bank Road, Gorakhpur, Uttar Pradesh, Pin : 273001, Distt : Gorakhpur	319.	Maharajganj, 2557	Indian Overseas Bank Plot No 2034, Ward No 16, Opp Kotwali Pharenda Rd Hamid Nagar, Nagar Palika Parishad Maharajganj Pin : 273303 Dist : Maharajganj
310.	Barhalganj, 2104	Indian Overseas Bank Main Market Road, Barhalganj, Pin: 273402, Distt: Gorakhpur	320.	Chandauli, 2572	Indian Overseas Bank Plot No 453 Beside Rama Shankar Singh Hospital, Chandausli, Pin : 232104 Dist : Chandauli
311.	Cobra Nursery School, Allahabad, 2163	Indian Overseas Bank 1, Kariyappa Road, New Cantonment, Sub-Area Headquarters, Allahabad Pin: 211001 Distt: Allahabad			
312.	Reserve Police Line, Varanasi, 2164	Indian Overseas Bank Reserve Police Line, Pandeypur Road, Varanasi Cantonment Varanasi Pin : 221002 Dist : Varanasi			

(1)	(2)	(3)
321. Mukhalsarai, 2859	Indian Overseas Bank House No 581 G T Road Nai Basti Mughalsarai Pin : 232101 Dist : Lucknow	
322. Ghazipur, 2860	Indian Overseas Bank 136 Saklenabad Opp Jail Gate Ghazipur Pin : 233001 Dist : Ghazipur	
323. Bhadohi, 2983	Indian Overseas Bank 102 Station Road, Mallu Talab Bhadohi Pin : 221401 Dist : Sant Ravidas Nagar	
324. Basti, 3014	Indian Overseas Bank H No 680-A Prahlad Colony, Civil Lines Basti Pin : 272001 Dist : Basti	
325. Jaunpur, 3015	Indian Overseas Bank H No 21-A Prabhu Complex, Husainabad Jaycee Chauraha, Jaunpur Pin : 222001 Dist : Jaunpur	
326. Bhikhipur, 3079	Indian Overseas Bank 16 KHA Sharma Towers, Bhikhipur, P. O. Mirazamurad, Pin : 221307 Dist : Varanasi	
327. Anpara, 3123	Indian Overseas Bank 234/4 Anpara Bazar Cinema Road Anpara P O Pin : 231225 Dist : Sonbhadra	
328. Robertsganj, 3124	Indian Overseas Bank Plot No 337 Devdep Complex, Near Chandi Tiraha, Robertsganj, Pin : 231216 Dist : Sonbhadra	
329. Khalilabad, 3326	Indian Overseas Bank H No 136 Ward 24 Gola Bazar North Near Nehru Chowk Khalilabad Pin : 272175 Dist : Sant Kabir Nagar	

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 26 अगस्त, 2014

(सं. 36/2014)

का.आ. 2434.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 3 की उप-धारा (1) के खंड (iii) के प्रयोजनार्थ बीरबल साहनी इंस्टीट्यूट ऑफ पेलियोबॉटनी, लखनऊ, (पैन-एएटीबी6882एच) संगठन को कर निर्धारण वर्ष 2014-15 से आगे निम्नलिखित शर्तों के अधीन 'वैज्ञानिक अनुसंधान संस्था' कार्यकलापों की श्रेणी में अनुमोदित किया गया है, नामतः—

- (i) अनुमोदित 'वैज्ञानिक अनुसंधान संस्था' का मुख्य उद्देश्य वैज्ञानिक अनुसंधान करना होगा;
- (ii) अनुमोदित संगठन वैज्ञानिक अनुसंधान स्वयं करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसको प्राप्त राशि के संबंध में पृथक लेखा बही रखेगा, जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा-परिभाषित किसी लेखाकार से अपने खाता-बही की लेखा-परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय की विवरणी प्रस्तुत करने की नियम तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट इस मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन प्राप्त दान और सामाजिक विज्ञान में अनुसंधान के लिए प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा-परीक्षा रिपोर्ट के साथ लेखा-परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रतिलिपि प्रस्तुत करेगा।

2. केंद्र सरकार यह अनुमोदन वापस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित पृथक लेखा बही रखने में असफल रहता है; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा-परीक्षा रिपोर्ट प्रस्तुत करने में असफल रहता है; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित सामाजिक विज्ञान एवं सांख्यिकी अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत करने में असफल रहता है; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देता है अथवा इसके अनुसंधान कार्य को वास्तविक नहीं पाया जाता है; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (iii) के उपबंधों के अनुरूप नहीं होता और उनका पालन नहीं किया जाता।

[फा. सं. 203/30/2013/आकनि-II]

ऋचा रस्तोगी, अवर सचिव (आकनि-II)

(Department of Revenue)
(Central Board of Direct Taxes)

New Delhi, 26th August, 2014

(No. 36/2014)

S.O. 2434.—It is hereby notified for general information that the organization Birbal Sahni Institute of Palaeobotany, Lucknow (PAN-AAATB6882H) has been approved by the Central Government for the purpose of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), from Assessment year 2014-2015 onwards in the category of 'Scientific Research Association' activities subject to the following conditions, namely :—

- (i) The sole objective of the approved 'Scientific research association' shall be undertake scientific research;
 - (ii) The approved organization shall carry out scientific research by itself;
 - (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
 - (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research in social science and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.
2. The Central Government shall withdraw the approval if the approved organization :—
- a. fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
 - b. fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
 - c. fails to furnish its statement of the donations received and sums applied for research in social science or statistical research referred to in sub-paragraph (iv) of paragraph 1; or
 - d. ceases to carry on its research activities or its research activities are not found to be genuine; or
 - e. ceases to conform to and comply with the provisions of clause (iii) of sub-section (1) of section 35 of the said Act read with rules 5C and 5D of the said Rules.

[F.No. 203/30/2013/ITA-II]

RICHA RASTOGI, Under Secy. (ITA-II)

नई दिल्ली, 3 सितम्बर, 2014

का.आ. 2435.—सरकारी स्थान (अनधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, निम्नलिखित सारणी के कालम (2) में उल्लिखित अधिकारियों को उक्त अधिनियम के प्रयोजन के लिए सम्पदा अधिकारी नियुक्त करती है और आगे यह निदेश देती है कि उक्त अधिकारी उक्त अधिनियम द्वारा या उसके अंतर्गत सम्पदा अधिकारी को प्रदत्त शक्तियों और अधिरोपित कर्तव्यों का अधोलिखित सारणी के कालम (3) में यथा विनिर्दिष्ट क्षेत्र के अंतर्गत आने वाले सरकारी स्थानों के संबंध में, अपने क्षेत्राधिकार की स्थानीय सीमा के भीतर प्रयोग करेंगे :—

क्र.सं. अधिकारी का पदनाम	सार्वजनिक परिसरों का वर्गीकरण और क्षेत्राधिकार के नियंत्रण की स्थानीय सीमा	
(1)	(2)	(3)
1. मंडल कार्यालय हैदराबाद के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, 6-1-73, लकड़ी का पुल, सैफाबाद, हैदराबाद-500004	तेलंगाना और सिमांधरा राज्य में स्थित मंडल कार्यालय, हैदराबाद के प्रशासनिक नियंत्रण के अधीन राज्यों के नीचे दिए गए वर्तमान 23 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- पूर्व गोदावरी जिला गंटूर चित्तूर हैदराबाद कडुपा करीम नगर कृष्णा कुरनूल महबूबनगर अनंतपुर नलगोन्डा नेल्लोर निजामाबाद प्रकासम रंगा रेड्डी श्रीकाकुलम विशाखापट्टनम विजयनगरम	

(1)	(2)	(3)	(1)	(2)	(3)
		वारंगल पश्चिमी गोदावरी जिला मेडक खम्माम अदिलाबाद			दरभंगा खगरिया मधेपुरा
2.	मंडल कार्यालय मुजफ्फरपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, अगहोरिया बाजार मुजफ्फरपुर-842002	मंडल कार्यालय, मुजफ्फरपुर के प्रशासनिक नियंत्रण के अधीन जिसमें बिहार राज्य के नीचे दिए गए वर्तमान 9 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— मुजफ्फरपुर सीतामढ़ी सिवान गोपालगंज पूर्वी चम्पारन पश्चिमी चम्पारन सारण वैशाली शिवहर	4.	मंडल कार्यालय, पटना के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, आर ब्लॉक, चाणक्य टावर, पटना 842001	मंडल कार्यालय, पटना के प्रशासनिक नियंत्रण के अधीन जिसमें बिहार राज्य के नीचे दिए गए वर्तमान 1 जिला शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— पटना
			5.	मंडल कार्यालय, आरा के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, आरा होटल रिगल काम्पलेक्स, द्वितीय तल, पूर्वी रमन्ना रोड आरा (बिहार)	मंडल कार्यालय, आरा के प्रशासनिक नियंत्रण के अधीन जिसमें बिहार राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— कैमूर भोजपुर बक्सर रोहतास
3.	मंडल कार्यालय दरभंगा के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, दरभंगा, कर्मशियल हाउस, लहेरिया सराय, दरभंगा-846001	मंडल कार्यालय, दरभंगा के प्रशासनिक नियंत्रण के अधीन जिसमें बिहार राज्य के नीचे दिए गए वर्तमान 12 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— मधुबनी समस्तीपुर बेगुसराय सहरसा सुपौल अररिया पुर्णिया कटिहार किशनगंज	6.	मंडल कार्यालय बिहारशरीफ के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, रामचन्द्रपुर, बिहारशरीफ-803101	मंडल कार्यालय, बिहारशरीफ के प्रशासनिक नियंत्रण के अधीन जिसमें बिहार राज्य के नीचे दिए गए वर्तमान 8 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— लखीसराय नालंदा नवादा जमुई शेखपुरा भागलपुर मुंगेर बांका

(1)	(2)	(3)	(1)	(2)	(3)
7.	मंडल कार्यालय गया के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, गया 400 एपी कॉलोनी, गया-823001	मंडल कार्यालय, गया के प्रशासनिक नियंत्रण के अधीन जिसमें बिहार राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— गया औरंगाबाद जहानाबाद अरवल			गरियाबंद कनकर कोंडा गांव मुंगेली नरायणपुर सरगुजा सुकमा सूरजपुर
8.	मंडल कार्यालय, रायपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, मदीना मॉजिल कचेरी चौक, रायपुर, छत्तीसगढ़	मंडल कार्यालय, रायपुर के प्रशासनिक नियंत्रण के अधीन जिसमें छत्तीसगढ़ राज्य के नीचे दिए गए वर्तमान 27 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बस्तर बिलासपुर धमतारी दुर्ग जंजगिर-चम्पा कोरबा कोरिया महासमुंद रायगढ़ रायपुर राजनंद गांव दंतेवाड़ा जशपुर कवर्धा बालोद नालोदा बाजार बलरामपुर बिमित्रा बिजापुर	9.	मंडल कार्यालय, उत्तरी दिल्ली के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, राजेन्द्र भवन, राजेन्द्र प्लेस, नई दिल्ली	मंडल कार्यालय, उत्तरी दिल्ली के प्रशासनिक नियंत्रण के अधीन जिसमें दिल्ली राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— पूर्वी दिल्ली उत्तर पूर्व दिल्ली उत्तरी दिल्ली उत्तरी पश्चिमी दिल्ली पश्चिमी दिल्ली सैन्ट्रल दिल्ली
			10.	मंडल कार्यालय, अहमदाबाद के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, गुजरात भवन, अहमदाबाद, एम जे लाइब्रेरी के सामने, एलाइस पुल, आश्रम रोड, अहमदाबाद-380006	मंडल कार्यालय, अहमदाबाद के प्रशासनिक नियंत्रण के अधीन जिसमें गुजरात राज्य के नीचे दिए गए वर्तमान 14 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— अहमदाबाद अमरेली भावनगर बनासकंठा गांधीनगर जामनगर जूनागढ़ कच्छ मेहसाणा

(1)	(2)	(3)	(1)	(2)	(3)
		पाटन पोरबंदर राजकोट साबरकंठा सुरेन्द्र नगर मोरबी लक्ष्यद्वीप (संघ शासित)	14.	मंडल कार्यालय रोहतक के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, रोहतक, राम गोपाल, कालोनी, सोनीपत रोड, रोहतक-124001	मंडल कार्यालय, रोहतक के प्रशासनिक नियंत्रण के अधीन जिसमें हरियाणा राज्य के नीचे दिए गए वर्तमान 5 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- रोहतक झज्जर रेवाड़ी महेन्द्रगढ़ भिवानी
11.	मंडल कार्यालय चण्डीगढ़ के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, पीएनबी हाउस, सेक्टर 17-बी, चंडीगढ़-160017	मंडल कार्यालय, चंडीगढ़ के प्रशासनिक नियंत्रण के अधीन जिसमें हरियाणा राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- चंडीगढ़ (संघ शासित) पंचकूला (हरियाणा) अम्बाला (हरियाणा)	15.	मंडल कार्यालय शिमला के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, शिमला रिजेंट हाउस, दि माल, शिमला-171001	मंडल कार्यालय, शिमला के प्रशासनिक नियंत्रण के अधीन जिसमें हिमाचल प्रदेश राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- कन्नूर शिमला सिरमौर सोलन
12.	मंडल कार्यालय हिसार के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, हिसार, आईआईटी के सामने, डाबर चौक, हिसार-125005	मंडल कार्यालय, हिसार के प्रशासनिक नियंत्रण के अधीन जिसमें हरियाणा राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- हिसार सिरसा फतेहाबाद	16.	मंडल कार्यालय धर्मशाला के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, कचहरी रोड, जीपीओ के पास, धर्मशाला-176215	मंडल कार्यालय, धर्मशाला के प्रशासनिक नियंत्रण के अधीन जिसमें हिमाचल प्रदेश राज्य के नीचे दिए गए वर्तमान 2 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- कांगड़ा चम्बा
13.	मंडल कार्यालय करनाल के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, बे-21-22, सेक्टर-12, हुड्डा, करनाल-132001	मंडल कार्यालय, करनाल के प्रशासनिक नियंत्रण के अधीन जिसमें हरियाणा राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- करनाल पानीपत सोनीपत	17.	मंडल कार्यालय हमीरपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, हमीरपुर, न्यू रोड,	मंडल कार्यालय, हमीरपुर के प्रशासनिक नियंत्रण के अधीन जिसमें हिमाचल प्रदेश राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो

(1)	(2)	(3)	(1)	(2)	(3)
	हमीरपुर 177001	पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— हमीरपुर उना बिलासपुर			बारामूला कुपवाड़ा लेह गंडेरबल बांडीपोरा किश्तवार सोपेन
18.	मंडल कार्यालय मण्डी के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, मण्डी, जल रोड, बटाला चौक, मंडी 175 001	मंडल कार्यालय, मण्डी के प्रशासनिक नियंत्रण के अधीन जिसमें हिमाचल प्रदेश राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— मण्डी कुल्लु केलाँग	20.	मंडल कार्यालय रांची के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, बगराय मार्केट, मेन रोड, राँची 834001 (झारखंड)	मंडल कार्यालय, रांची के प्रशासनिक नियंत्रण के अधीन जिसमें झारखंड राज्य के नीचे दिए गए वर्तमान 24 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— राँची पूर्वी सिंहभूम पश्चिमी सिंहभूम सरायकेला बोकारो धनबाद पलामू लातेहार गढ़वा गिरीडीह हजारीबाग चतरा लोहरडागा गोड्डा देवघर दुमका गुमला जामतारा खुन्ती कोडरमा पाकुर रामगढ़ साहेबगंज सिमडेगा
19.	मंडल कार्यालय जम्मू के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, हाइलैंड टावर, रेल हेड काम्प्लेक्स, जम्मू 180012	मंडल कार्यालय, जम्मू के प्रशासनिक नियंत्रण के अधीन जिसमें जम्मू एवं कश्मीर राज्य के नीचे दिए गए वर्तमान 21 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— जम्मू कठुआ संबा पूँच राजौरी डोडा रेयासी रामबन उधमपुर श्रीनगर अनंतनाग कारगिल पुलवामा बडगाम			

(1)	(2)	(3)	(1)	(2)	(3)
21.	मंडल कार्यालय, बंगलौर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, 26-27, एमजी रोड, रहेजा टॉवर, बंगलौर-560001	मंडल कार्यालय, बंगलौर के प्रशासनिक नियंत्रण के अधीन जिसमें कर्नाटक राज्य के नीचे दिए गए वर्तमान 30 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- बंगलौर रामनगरा बेलगाँव बिदर बीजापुर दक्षिण कन्नड़ धाड़वाड़ दवांगिरी गडाग गुलबर्गा हासन कोलार मांड्या मैसूर उत्तरी कन्नड़ शिमोगा तुमकुर उडीपी बेल्लारी बागल कोट बंगलौर ग्रामीण चमराजानगर चिकमंगलुर चिकबल्लापुर चित्रदुर्गा हावेरी कोडागू कोप्पल रायचूर यादागिरी	22.	मंडल कार्यालय, कोजिकोड के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, शताब्दी भवन, मिनी बाईपास रोड, पीओ, एए गाविन्दपुरम, कोजिकोड-673016	मंडल कार्यालय, कोजिकोड के प्रशासनिक नियंत्रण के अधीन जिसमें केरला राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- कन्नूर कसारगॉड कोजिकोड मालापुरम पलाक्कड वायनाड
			23.	मंडल कार्यालय, भोपाल के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, पीएनबी हाऊस, अरिरा हिल्स, भोपाल-4622001	मंडल कार्यालय, भोपाल के प्रशासनिक नियंत्रण के अधीन जिसमें मध्यप्रदेश राज्य के नीचे दिए गए वर्तमान 12 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- बेतुल भोपाल दतिया हौशंगाबाद हरदा सिहोर विदिशा ग्वालियर मोरेना शिवपुर रायसेन भिंड
			24.	मंडल कार्यालय, इंदौर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, इंदौर, 20, स्नेह नगर, इंदौर-452001	मंडल कार्यालय, इंदौर के प्रशासनिक नियंत्रण के अधीन जिसमें मध्यप्रदेश राज्य के नीचे दिए गए वर्तमान 19 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा

(1)	(2)	(3)	(1)	(2)	(3)
		अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— इंदौर बधवानी खरगौन मंदसौर नीमच रायगढ़ गुना अशोक नगर खंडवा बुरहानपुर रतलाम शाजापुर शिवपुरी उज्जैन देवास धार झाबुआ अगर अलिराजपुर			सिवनी सागर सतना सिधी सिंगरौली अनुपपुर पन्ना शाहडोल टिकमगृह उमरिया
25. मंडल कार्यालय, जबलपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, जबलपुर, 1227, नेपियर टाउन, जबलपुर-482001		मंडल कार्यालय, जबलपुर के प्रशासनिक नियंत्रण के अधीन जिसमें मध्यप्रदेश राज्य के नीचे दिए गए वर्तमान 20 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बालाघाट छतरपुर छिंदवाड़ा डिंडोर दमोह जबलपुर कटनी मंडला नरसिंहपुर रीवा	26. मंडल कार्यालय, मुम्बई के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, मुम्बई, प्लॉट संख्या सी-9, जी ब्लॉक बांद्रा कुर्ला काम्पलेक्स बांद्रा (पूर्व), मुम्बई महाराष्ट्र		मंडल कार्यालय, मुम्बई के प्रशासनिक नियंत्रण के अधीन जिसमें महाराष्ट्र राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— मुम्बई मुम्बई उपनगर थाणे रायगढ़
			27. मंडल कार्यालय, नागपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, पीएनबी हाउस, किंग्सवे, नागपुर-440001		मंडल कार्यालय, नागपुर के प्रशासनिक नियंत्रण के अधीन जिसमें महाराष्ट्र राज्य के नीचे दिए गए वर्तमान 16 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— अकोला अमरावती बुलढाना चन्द्रपुर गोंदिया जलगाँव नागपुर नांदेड़ वर्धा

(1)	(2)	(3)	(1)	(2)	(3)
		यवतमाल लातूर परभणी भंडारा गढचिरोली हिंगोली वाशिम			के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- बारपेटा (असम) बोंगाईगांव (असम) कछार (असम) डिबरुगढ़ (असम) गोलेघाट (असम) जोरहाट (असम) कामरूप (असम) करीमगंज (असम) नलवाड़ी (असम) नागांव (असम) तिनसुखिया (असम) सोनितपुर (असम) बॉक्सा (असम) चिरांग (असम) मोरीगाँव (असम) धुबरी (असम) धिमाजी (असम) हलाकांडी (असम) गोलपाड़ा (असम) उदलगिरी (असम) दारंग (असम) सिबसागर (असम) कामरूप-महानगरीय (असम) काबी अंगलोंग (असम) कोकराझाड़ (असम) लखीमपुर (असम) अंजाव (अरुणाचल प्रदेश) चंगलैड (अरुणाचल प्रदेश) दिवांग घाटी (अरुणाचल प्रदेश) पूर्वी कामेंग (अरुणाचल प्रदेश) पूर्वी सियांग (अरुणाचल प्रदेश) कुकग कुमे (अरुणाचल प्रदेश) लोहित (अरुणाचल प्रदेश) लोअर दिबांग घाटी (अरुणाचल प्रदेश) पापुमपरे (अरुणाचल प्रदेश)
28.	मंडल कार्यालय, पुणे के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, अरोड़ा टावर्स मेज़नाइन फ्लोर, 9 मेलाडाइन रोड, पुणे कैम्प, पुणे-411001	मंडल कार्यालय, पुणे के प्रशासनिक नियंत्रण के अधीन जिसमें महाराष्ट्र राज्य के नीचे दिए गए वर्तमान 17 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- पुणे अहमदनगर औरंगाबाद धुलिया कोल्हापुर नासिक सांगली सोलापुर रत्नागिरी सिंधुदुर्ग सतारा नंदुरबर बीड उस्मानाबाद जालना उत्तरी गोवा दक्षिणी गोवा			
29.	मंडल कार्यालय गुवाहाटी के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, नीलगिरी मेन्शन, भंगाधर, जी एस रोड, गुवाहाटी	मंडल कार्यालय, गुवाहाटी के प्रशासनिक नियंत्रण के अधीन जिसमें असम, अरुणाचल प्रदेश, मेघालय, मणिपुर, त्रिपुरा, नागालैंड, मिजोरम राज्यों के नीचे दिए गए वर्तमान 82 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक			

(1)	(2)	(3)	(1)	(2)	(3)
		तंवाग (अरुणाचल प्रदेश)			पेरेन (नागालैंड)
		तिरप (अरुणाचल प्रदेश)			फेक (नागालैंड)
		रूपरी सियांग (अरुणाचल प्रदेश)			तुएन सांग (नागालैंड)
		रूपरी सुबन सिरि (अरुणाचल प्रदेश)			वोका (नागालैंड)
		पश्चिमी कमिंग (अरुणाचल प्रदेश)			धलाई (त्रिपुरा)
		पश्चिमी सियांग (अरुणाचल प्रदेश)			उत्तरी (त्रिपुरा)
		विष्णुपुर (मनीपुर)			दक्षिणी (त्रिपुरा)
		चंदेल (मनीपुर)			पश्चिमी (त्रिपुरा)
		इम्फाल पूर्व (मनीपुर)	30.	मंडल कार्यालय, भुवनेश्वर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, चौथी मंजिल, दीनदयाल भवन, अशोक नगर, जनपथ, भुवनेश्वर, उड़ीसा-751009	मंडल कार्यालय, भुवनेश्वर के प्रशासनिक नियंत्रण के अधीन जिसमें उड़ीसा राज्य के नीचे दिए गए वर्तमान 12 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- बालासोर भद्रक कटक धनकनाल गजपति गंजम जाजपुर जगत सिंगपुर खुर्दा नयागढ़ पुरी केन्द्रपारा
		इम्फाल पश्चिम (मनीपुर)			
		सेनापति (मनीपुर)			
		तेमंगलोंग (मनीपुर)			
		थाऊबल (मनीपुर)			
		ऊरबुरुल (मनीपुर)			
		पूर्वी गारोहिल्स (मेघालय)			
		पूर्वी खासी हिल्स (मेघालय)			
		जैंतिया हिल्स (मेघालय)			
		रिबहोई (मेघालय)			
		दक्षिण गोरो हिल्स (मेघालय)			
		पश्चिम गारो हिल्स (मेघालय)			
		पश्चिम खासी हिल्स (मेघालय)			
		आइजोल (मिजोरम)			
		चम्पाई (मिजोरम)			
		कोलासिब (मिजोरम)			
		लुगलेई (मिजोरम)			
		लवांग तलाई (मिजोरम)			
		मामित (मिजोरम)			
		साइहा (मिजोरम)	31.	मंडल कार्यालय, अमृतसर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, द्वितीय तल मैक लोड रोड सेंट फ्रांसिस स्कूल के सामने, अमृतसर-143001	मंडल कार्यालय, अमृतसर के प्रशासनिक नियंत्रण के अधीन जिसमें पंजाब राज्य के नीचे दिए गए वर्तमान 2 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- अमृतसर तरनतारण
		दिमापुर (नागालैंड)			
		जुनेह बीतो (नागालैंड)			
		कैफरी (नागालैंड)			
		कोहिया (नागालैंड)			
		लॉंगलेंग (नागालैंड)			
		मोकाक चुंग (नागालैंड)			
		मोन (नागालैंड)			

(1)	(2)	(3)	(1)	(2)	(3)
32.	मंडल कार्यालय, होशियारपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, इम्प्रूवमेंट ट्रस्ट रोड, होशियारपुर-146001	मंडल कार्यालय, होशियारपुर के प्रशासनिक नियंत्रण के अधीन जिसमें पंजाब राज्य के नीचे दिए गए वर्तमान 2 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- होशियारपुर नवांशहर	36.	मंडल कार्यालय जयपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, पी एन बी हाउस, 2, नेहरू प्लेस, टोंक रोड, जयपुर-302015	मंडल कार्यालय, जयपुर के प्रशासनिक नियंत्रण के अधीन जिसमें राजस्थान राज्य के नीचे दिए गए वर्तमान 7 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- जयपुर दौसा टोंक कोटा बुंदी बरान झालावाड़
33.	मंडल कार्यालय, जालंधर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, जालंधर, सिविल लाइन्स, जालंधर-144004	मंडल कार्यालय, जालंधर के प्रशासनिक नियंत्रण के अधीन जिसमें पंजाब राज्य के नीचे दिए गए वर्तमान 1 जिला शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- जालंधर	37.	मंडल कार्यालय भरतपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, पी एन बी हाउस, सुपर बाजार, भरतपुर-302001	मंडल कार्यालय, भरतपुर के प्रशासनिक नियंत्रण के अधीन जिसमें राजस्थान राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- भरतपुर धौलपुर सवाई माधोपुर करौली
34.	मंडल कार्यालय भटिन्डा के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, भटिन्डा, एससीओ-29-31, मॉडल टाऊन, फेज-1, फेसिंग टी वी टॉवर, भटिन्डा-151001	मंडल कार्यालय, भटिन्डा के प्रशासनिक नियंत्रण के अधीन जिसमें पंजाब राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- भटिन्डा बरनाला फजिल्का फरीदकोट मुक्तसर	38.	मंडल कार्यालय जोधपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, जोधपुर, 802, पहली मंजिल, चोपासिनी रोड, जोधपुर-302003	मंडल कार्यालय, जोधपुर के प्रशासनिक नियंत्रण के अधीन जिसमें राजस्थान राज्य के नीचे दिए गए वर्तमान 15 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- अजमेर बांसवाड़ा बाड़मेर भिलवाड़ा चित्तौड़गढ़
35.	मंडल कार्यालय लुधियाना के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, साईट नं. 5, फिरोजपुर पखोवल रोड, लुधियाना-141001	मंडल कार्यालय, लुधियाना के प्रशासनिक नियंत्रण के अधीन जिसमें पंजाब राज्य के नीचे दिए गए वर्तमान 2 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :- लुधियाना मोंगा			

(1)	(2)	(3)	(1)	(2)	(3)
		डूंगरपुर जैसलमेर जालौर जाधपुर नागौर पाली प्रतापगढ़ राजसमन्द सिरोही उदयपुर			
39.	मंडल कार्यालय श्रीगंगानगर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, पीएनबी हाउस, मीरा मार्ग, जवाहर नगर, श्रीगंगानगर-335001	मंडल कार्यालय, श्रीगंगानगर के प्रशासनिक नियंत्रण के अधीन जिसमें राजस्थान राज्य के नीचे दिए गए वर्तमान 5 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बीकानेर चुरू झुनझुनू हनुमानगढ़ श्रीगंगानगर	41.	मंडल कार्यालय त्रिची के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, त्रिची, पीएनबी हाउस, बीएचईएल कैलाशपुरम, तंजौर रोड, त्रिची-620014	मंडल कार्यालय, त्रिची के प्रशासनिक नियंत्रण के अधीन जिसमें तमिलनाडु राज्य के नीचे दिए गए वर्तमान 26 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— अरियालुर कोयम्बतूर कुड्डालोर डिंडीगुल इरोड कन्याकुमारी करुड़ मदुरई नागापट्टीनम नमक्कल निलगिरी पुडुकोट्टी रामनाथपुरम सेलम शिवगंगा तंजावूर थेनी तिरुनेलवेली तिरुवारूर त्रिची टूटीकोरिन विरदुनगर धर्मपुरी कृष्णागिरी प्रेम्बलूर तिरुपुर
40.	मंडल कार्यालय चैन्नई के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, रॉयला टावर्स, तीसरी मंजिल, न्यू नंबर 158, अन्ना सलाई, चैन्नई-600002	मंडल कार्यालय, चैन्नई के प्रशासनिक नियंत्रण के अधीन जिसमें तमिलनाडु राज्य के नीचे दिए गए वर्तमान 7 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— चैन्नई कांचीपुरम तिरुवेल्लूर तिरुवन्नामलाई वेल्लौर विल्लूपुरम कराईकल (पांडिचेरी यू.टी.) माहे (पांडिचेरी यू.टी.) पांडिचेरी (पांडिचेरी यू.टी.) यनम (पांडिचेरी यू.टी.)	42.	मंडल कार्यालय आगरा के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, आगरा, 1-2, रघुनाथ नगर, एमजी रोड, आगरा-282002	मंडल कार्यालय, आगरा के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 9 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :—

(1)	(2)	(3)	(1)	(2)	(3)
		आगरा एटा फिरोजाबाद मैनपुरी मथुरा इटावा हाथरस करीमनगर फर्रुखाबाद			झांसी ललितपुर महोबा बांदा चित्रकूट हमीरपुर जालौन
43. मंडल कार्यालय बरेली के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, बरेली, पीली भीत, बाई पास रोड, बरेली-243001		मंडल कार्यालय, बरेली के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बरेली बदायूँ लखीमपुर खीरी पीली भीत शाहजहांपुर हरदोई	46. मंडल कार्यालय लखनऊ के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, विभूति खंड, गोमती नगर, लखनऊ-226001		मंडल कार्यालय, लखनऊ के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 5 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— लखनऊ बाराबंकी सीतापुर रायबरेली छत्रपति साहूजी महाराज नगर
44. मंडल कार्यालय बुलंदशहर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, बुलंदशहर, पीएनबी हाउस, यमुनापुरम, बुलंदशहर-203001		मंडल कार्यालय, बुलंदशहर के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 2 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बुलंदशहर अलीगढ़	47. मंडल कार्यालय गोरखपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, गोरखपुर, अलादपुर, तुलसी इंटर कॉलेज के सामने, गोरखपुर-273001		मंडल कार्यालय, गोरखपुर के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 5 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— गोरखपुर देवरिया महाराजगंज कुशीनगर संत कबीर नगर
45. मंडल कार्यालय झांसी के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, झांसी, सुधा नर्सिंग होम के पास, कानपुर रोड, झांसी-284128		मंडल कार्यालय, झांसी के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 7 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :—	48. मंडल कार्यालय वाराणसी के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, वाराणसी, एस-20/56-डी, दि माल, कैंडी रोड, वाराणसी कैट-221002		मंडल कार्यालय, वाराणसी के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 13 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :—

(1)	(2)	(3)	(1)	(2)	(3)
		इलाहाबाद आजमगढ़ कौशांबी बलिया भदोही चंदौली गाजीपुर जौनपुर मऊनाथ भंजन मिर्जापुर प्रतापगढ़ सोनभद्र वाराणसी संत रविदास नगर		पंजाब नेशनल बैंक, मुरादाबाद, सिविल लाईन्स, मुरादाबाद-244001	नीचे दिए गए वर्तमान 7 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बिजनौर अमरोहा सम्भल मुरादाबाद ज्योतिबाफुले नगर रामपुर भीम नगर
49. मंडल कार्यालय कानपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, कानपुर, 59/29, बिरहाना रोड, कानपुर-206001		मंडल कार्यालय, कानपुर के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— फतेहपुर औरैया कन्नौज कानपुर सिटी कानपुर देहात उन्नाव	52. मंडल कार्यालय मुजफ्फरनगर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, मुजफ्फरनगर 68 कम्बल वाला बाग, मुजफ्फरनगर-251001		मंडल कार्यालय, मुजफ्फरनगर के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— सहारनपुर शामली प्रबुद्धनगर मुजफ्फरनगर
50. मंडल कार्यालय मेरठ के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, एलआईसी बिल्डिंग, प्रभात नगर, साकेत-250001		मंडल कार्यालय, मेरठ के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बागपत पंचशील नगर मेरठ	53. मंडल कार्यालय देहरादून के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, देहरादून, पीएनबी हाउस, पल्टन बाजार, देहरादून-248001		मंडल कार्यालय, देहरादून के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तराखंड राज्य के नीचे नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— देहरादून उत्तरकाशी टेहरी-गढ़वाल
51. मंडल कार्यालय मुरादाबाद के वरिष्ठतम सहायक महाप्रबन्धक,		मंडल कार्यालय, मुरादाबाद के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के	54. मंडल कार्यालय हरिद्वार के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, हरिद्वार, पीएनबी हाउस, सैक्टर-4, बीएचएल कॉम्प्लेक्स, हरिद्वार		मंडल कार्यालय, हरिद्वार के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तराखंड राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा

(1)	(2)	(3)	(1)	(2)	(3)
		अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— हरिद्वार चमोली पौड़ी रुद्रप्रयाग			अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बर्दवान बंकुरा दार्जिलिंग बीरभूम मालदा दक्षिण दिनाजपुर हुगली जलपाईगुड़ी मुर्शीदाबाद उत्तर दिनाजपुर नाडिया कूच बिहार पूर्वी सिक्किम उत्तरी सिक्किम दक्षिण सिक्किम पश्चिम सिक्किम
55.	मंडल कार्यालय काशीपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, काशीपुर, बाजपुर रोड, काशीपुर-244713	मंडल कार्यालय, काशीपुर के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तराखंड राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— अल्मोड़ा नैनीताल उधम सिंह नगर पिथौरागढ़ बागेश्वर चम्पावत			
56.	मंडल कार्यालय कोलकाता के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, कोलकाता, तृतीय तल, एजी टावर, 125/1, पार्क स्ट्रीट, कोलकाता-700017	मंडल कार्यालय, + के प्रशासनिक नियंत्रण के अधीन जिसमें पश्चिम बंगाल राज्य के नीचे दिए गए वर्तमान 7 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— कोलकाता 24 परगना (दक्षिण) 24 परगना (उत्तर) हावड़ा निकोबार उत्तर और मध्य अंडमान दक्षिण अंडमान (पोर्ट ब्लेयर)	58.	मंडल कार्यालय मिदनापुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, मिदनापुर, विद्यासागर रोड, बटाला चौक, मिदनापुर-721001	मंडल कार्यालय, मिदनापुर के प्रशासनिक नियंत्रण के अधीन जिसमें पश्चिम बंगाल राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— पश्चिम मिदनापुर पूर्वी मिदनापुर पुरलिया
57.	मंडल कार्यालय बर्दवान के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, 103, जीटी रोड, द्वितीय तल, फैसी मार्केट कॉम्प्लेक्स, बर्दवान-713101	मंडल कार्यालय, बर्दवान के प्रशासनिक नियंत्रण के अधीन जिसमें पश्चिमी बंगाल राज्य के नीचे दिए गए वर्तमान 16 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा	59.	मंडल कार्यालय दक्षिण दिल्ली के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, चतुर्थ तल, राजेन्द्र भवन, राजेन्द्र प्लेस, नई दिल्ली-110008	मंडल कार्यालय, दक्षिण दिल्ली के प्रशासनिक नियंत्रण के अधीन जिसमें दिल्ली, हरियाणा प्रदेश राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— दक्षिण दिल्ली दक्षिण पूर्व दिल्ली फरीदाबाद (हरियाणा) गुडगांव (हरियाणा)

(1)	(2)	(3)	(1)	(2)	(3)
		मेवात (हरियाणा) पलवल (हरियाणा)			मोहाली पटियाला मानसा
60. मंडल कार्यालय फैजाबाद के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, फैजाबाद, आचार्य नरेन्द्र देव नगर, फैजाबाद-224001 (उ.प्र.)		मंडल कार्यालय, फैजाबाद के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 9 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— बस्ती सिद्धार्थ नगर बलरामपुर अम्बेडकर नगर सुल्तानपुर बहराइच फैजाबाद गोंडा श्रावस्ती	63. मंडल कार्यालय कुरुक्षेत्र के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, कुरुक्षेत्र, छाता कॉम्प्लैक्स, पिपली रोड, कुरुक्षेत्र-136118 (हरियाणा)		मंडल कार्यालय, कुरुक्षेत्र के प्रशासनिक नियंत्रण के अधीन जिसमें हरियाणा राज्य के नीचे दिए गए वर्तमान 4 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— कैथल कुरुक्षेत्र यमुनानगर जिंद
61. मंडल कार्यालय कपूरथला के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, कपूरथला, पीएनबी हाउस, सत्यनारायण मंदिर बाजार, कपूरथला-144601		मंडल कार्यालय, कपूरथला के प्रशासनिक नियंत्रण के अधीन जिसमें पंजाब राज्य के नीचे दिए गए वर्तमान 3 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— गुरदासपुर कपूरथला पठानकोट	64. मंडल कार्यालय अलवर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, अलवर, प्रथम तल, मनु मार्ग, अलवर-301001 (राजस्थान)		मंडल कार्यालय, अलवर के प्रशासनिक नियंत्रण के अधीन जिसमें राजस्थान राज्य के नीचे दिए गए वर्तमान 2 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— अलवर सीकर
62. मंडल कार्यालय पटियाला के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, पटियाला, करम कॉम्प्लैक्स, सरहिंद रोड, पटियाला-147001 (पंजाब)		मंडल कार्यालय, पटियाला के प्रशासनिक नियंत्रण के अधीन जिसमें पंजाब राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— संगरूर फतेहगढ़ साहिब रोपड़	65. मंडल कार्यालय एर्णाकुलम के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, एर्णाकुलम, 40/1461 मार्केट रोड, एर्णाकुलम-682011		मंडल कार्यालय, एर्णाकुलम के प्रशासनिक नियंत्रण के अधीन जिसमें केरला राज्य के नीचे दिए गए वर्तमान 9 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— अलापूझा एर्णाकुलम इदुक्की कोट्टायम पट्टानमिट्टा क्वीलॉन/कोलॉम त्रिचूर

(1)	(2)	(3)	(1)	(2)	(3)
		त्रिवेन्द्रम कोल्लम		चतुर्थ तल, राजेन्द्र भवन, राजेन्द्र प्लेस, नई दिल्ली	शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— मध्य दिल्ली नई दिल्ली दक्षिण पश्चिम दिल्ली पश्चिमी दिल्ली उत्तरी दिल्ली उत्तरी पश्चिमी दिल्ली
66. मंडल कार्यालय सूरत के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, चतुर्थ तल, तुलसी कृपा आरकेड बारडोली रोड सूरत-394214 (गुजरात)		मंडल कार्यालय, सूरत के प्रशासनिक नियंत्रण के अधीन जिसमें गुजरात राज्य के नीचे दिए गए वर्तमान 15 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— आनंद भरूच दहोड डांग खेड़ा नवसारी नर्मदा पंचमहल सूरत तापी वडोदरा वलसाड दमन (दमन एवं हिड) संघ शासित द्वीप (दमन एवं हिड) संघ शासित दादरा एवं नगर हवेली संघ शासित	69. मंडल कार्यालय संबलपुर के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, मनोरमा बिल्डिंग दानीपल्ली भीमभोई नगर, पोस्ट आफिस बुद्धराजा, संभलपुर-768005		मंडल कार्यालय, संभलपुर के प्रशासनिक नियंत्रण के अधीन जिसमें उड़ीसा राज्य के नीचे दिए गए वर्तमान 18 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— अनुगल बारागढ़ बलंगिर बउध देवगढ़ झाडसुगुडा कालाहंडी कांधामल केन्धूझार कोरापूट मलकानगिरी मयूरभंज नबरंगापुर नौउपाडा रायागढ़ संभलपुर सुबर्नपुर सुन्दरगढ़ केओनझार
67. मंडल कार्यालय, नोएडा के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक, तीसरा तल, सी-13, सेक्टर 1, नोएडा (गौतम बुद्ध नगर), उत्तर प्रदेश		मंडल कार्यालय, नोएडा के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 6 जिले शामिल हैं, में वे परिसर जो पंजाब नेशनल बैंक के अपने हैं या पंजाब नेशनल बैंक द्वारा अथवा पंजाब नेशनल बैंक की ओर से पट्टे पर लिए गए हैं :— गाजियाबाद नोएडा (गौतम बुद्ध नगर)			
68. मंडल कार्यालय मध्य दिल्ली के वरिष्ठतम सहायक महाप्रबन्धक, पंजाब नेशनल बैंक,		मंडल कार्यालय, मध्य दिल्ली के प्रशासनिक नियंत्रण के अधीन जिसमें उत्तर प्रदेश राज्य के नीचे दिए गए वर्तमान 4 जिले			

[फा. सं. 4/3/2013-बीओए]
एम. एम. दौला, अवर सचिव

[फा. सं. 4/3/2013-बीओए]
एम. एम. दौला, अवर सचिव

New Delhi, the 3rd September, 2014

S.O. 2435.—In exercise of the powers conferred by section 3 of Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officer mentioned in column No. 2 of the table below to be Estate Officers for the purpose of the said Act and further direct that the said officers shall exercise the powers conferred and the duties imposed on an Estate Officers by or under the said Act within the local limits of his jurisdiction in respect of the public premises falling under area as specified in column No. 3 of the table below:—

S.No.	Designation of the Officer	Categories of public premises and local limits of control of jurisdiction
(1)	(2)	(3)
1.	Senior most AGM of Circle Office, Hyderabad, Punjab National Bank, 6-1-73, Lakadi Ka Pul, Saifabad, Hyderabad-500004.	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Hyderabad, in the State of Telangana & Seemandhra, presently consisting 23 Districts, mentioned below : East Godavari District Guntur Chittoor Hyderabad Kadapa Karim Nagar Krishna Kurnool Mahabubnagar Anantpur Nalgonda Nellore Nizamabad Prakasam Ranga Reddy Srikakulam Visakhapatnam Vizianagaram Warangal West Godavari District Medak Khammam Adilabad

(1)	(2)	(3)
2.	Senior most AGM of Circle Office, Muzaffarpur, Punjab National Bank, Aghoria Bazar, Muzaffarpur 842002	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Muzaffarpur, in the State of Bihar, presently consisting 9 Districts mentioned below : Muzaffarpur Sitamarhi Siwan Gopalganj East Champaran West Champaran Saran Vaishali Sheohar
3.	Senior most AGM of Circle Office, Darbhanga, Punjab National Bank, Darbhanga, Commercial House, Laharia Sarai, Darbhanga-846001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Darbhanga, in the State of Bihar, presently consisting 12 Districts mentioned below : Madhubani Samastipur Begusarai Saharsa Supaul Araria Purnia Katihar Kishanganj Darbhanga Khagaria Madhepura
4.	Senior most AGM of Circle Office, Patna, Punjab National Bank, R-Block, Chanakya Tower, Patna-842001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Patna, in the State of Bihar, presently consisting 1 District, mentioned below : Patna
5.	Senior most AGM of Circle Office, Arrah, Punjab National Bank,	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of

(1)	(2)	(3)	(1)	(2)	(3)
	Arrah, Hotal Regal Complex, 2nd Floor East Ramanna Road, Arrah (Bihar)	Circle Office Arrah, in the State of Bihar, presently consisting of 4 Districts, mentioned below: Kaimur Bhojpur Buxar Rohtas			Mahassmund Raigarh Raipur Rajnandgaon Dantewada Jashpur Kawardha Balod Balodabazar Balrampur Bemetara Bijapur Gariyaband Kanker Kondagaon Mungeli Narainpur Surguja Sukma Surajpur
6.	Senior most AGM of Circle Office, Bihar Sharif, Punjab National Bank, Ramchandarpur, Bihar Sharif 803101	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Bihar Sharif, in the State of Bihar, presently consisting of 8 Districts, mentioned below: Lahkisarai Nalanda Nawada Jamui Sheikhpura Bhagalpur Munger Banka			
7.	Senior most AGM of Circle Office, Gaya, Punjab National Bank, Gaya, 400 A.P. Colony Gaya 823001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office of Bihar, presently consisting of 4 Districts, mentioned below: Gaya Aurangabad Jehanabad Arwal	9.	Senior most AGM of Circle Office, North Delhi, Punjab National Bank, 4th Floor, Rajendra Bhawan, Rajendra Place, New Delhi	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office North Delhi, in the State of Delhi presently consisting of 6 Districts, mentioned below: East Delhi North East Delhi North Delhi North West Delhi West Delhi Central Delhi
8.	Senior most AGM of Circle Office, Raipur, Punjab National Bank, Madina Manjil Kachehri Chowk, Raipur (Chhattisgarh)	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Raipur, in the State of Chhattisgarh, presently consisting of 27 Districts, mentioned below: Bastar Bilaspur Dhamtari Durg Janjgir – Champa Korba Koria	10.	Senior most AGM of Circle Office, Ahmedabad, Punjab National Bank, Gujarat Bhawan facing MJ Library, Elice Pul, Ashram Road, Ahmedabad-380006	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Ahmedabad, in the State of Gujarat, and Lakshadweep (UT) presently consisting of 16 Districts, mentioned below: Ahmedabad Amreli Bhavnagar Banaskantha Gandhinagar

(1)	(2)	(3)	(1)	(2)	(3)
		Jamnagar Junagadh Kutch Mehsana Patan Porbandar Rajkot Sabarkantha Surendranagar Morbi Lakshadweep (U.T.)		Rohtak, Ram Gopal Colony, Sonepat Road, Rohtak 124001	Circle Office Rohtak in the State of Haryana, presently consisting 5 Districts, men- tioned below: Rohtak Jhajjar Rewari Mahendragarh Bhiwani
11.	Senior most AGM of Circle Office, Chandigarh, Punjab National Bank, PNB House, Sector 17-B, Chandigarh-160017	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Chandigarh, in the State of Haryana, & Chandigarh (UT) presently consisting 3 Districts, men- tioned below: Chandigarh (UT) Panchkula (Haryana) Ambala (Haryana)	15.	Senior most AGM of Circle Office, Shimla, Punjab National Bank, Shimla, Regent House, The Mall, Shimla-171001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Shimla in the State of Himachal Pradesh, presently consisting 4 Dis- tricts, mentioned below: Kinnaur Shimla Sirmaur Solan
12.	Senior most AGM of Circle Office, Hisar, Punjab National Bank, Hisar, Opposite ITI Chowk, Dabra Road, Hisar-125005	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Hisar, in the State of Haryana, presently consist- ing 3 Districts, mentioned below: Hisar Sirsa Fatehabad	16.	Senior most AGM of Circle Office, Dharamshala, Punjab National Bank, Kachehri Road, Near GPO, Dharamshala- 176215	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Dharamshala, in the State of Himachal Pradesh, presently consisting 2 Dis- tricts, mentioned below: Kangra Chamba
13.	Senior most AGM of Circle Office, Karnal, Punjab National Bank, Bay-21-22, Sector-12, HUDA Karnal 132001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Karnal, in the State of Haryana, presently consisting 3 Districts, men- tioned below: Karnal Panipat Sonapat	17.	Senior most AGM of Circle Office, Hamir pur, Punjab National Bank, Hamirpur, New Road, Hamirpur-177001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Hamirpur in the State of Himachal Pradesh, presently consisting 3 districts mentioned below: Hamirpur Una Bilaspur
14.	Senior most AGM of Circle Office, Rohtak, Punjab National Bank,	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of	18.	Senior most AGM of Circle Office, Mandi, Punjab National Bank, M.R. Road, Batala Chowk Mandi-175001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Mandi in the State of Himachal Pradesh, pres- ently consisting 3 Districts, mentioned below :

(1)	(2)	(3)	(1)	(2)	(3)
		Mandi			Latehar
		Kullu			Garhwa
		Keylong			Giridih
19. Senior most AGM of Circle Office, Jammu, Punjab National Bank, High Land Tower Rail Head Complex, Jammu-180012		Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Jammu, in the State of J & K, presently consisting 21 Districts, mentioned below :			Hazaribagh
		Jammu			Chatra
		Kathua			Lohardaga
		Samba			Godda
		Poonch			Deoghar
		Rajouri			Dumka
		Doda			Gumla
		Reasi			Jamatra
		Ramban			Khunti
		Udhampur			Koderma
		Srinagar			Pakur
		Anantnag			Ramgarh
		Kargil			Sahebganj
		Pulwama			Simdega
		Badgam	21. Senior most AGM of Circle Office, Karnataka, Punjab National Bank, 26-27, M.G. Road, Raheja Towers, Bangalore-560001		Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Bangalore, in the State of Karnataka, presently consisting 30 Districts, mentioned below:
		Baramulla			Bangalore
		Kupwara			Ramnagara
		Leh			Belgaum
		Ganderbal			Bidar
		Bandipora			Bijapur
		Kishtwar			Dakshin Kannada
		Sopian			Dharwad
20. Senior most AGM of Circle Office, Ranchi, Punjab National Bank, Bagrai Market, Main Road, Ranchi 834001 (Jharkhand)		Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Ranchi, in the State of Jharkhand, presently consisting 24 Districts, mentioned below:			Davangere
		Ranchi			Gadag
		East Singhbhum			Gulbarga
		West Singhbhum			Hassan
		Saraikela			Kolar
		Bokaro			Mandya
		Dhanbad			Mysore
		Palamu			North Kannada
					Shimoga
					Tumkur
					Udipi
					Bellari
					Bagalkot
					Banglore Rural

(1)	(2)	(3)	(1)	(2)	(3)
		Chamrajanagar Chikmanglore Chikballapur Chitradurga Haveri Kodagu Koppal Raichur Yadagiri		Sneh Nagar, Indore-452001	State of Madhya Pradesh, presently consisting 19 Dis- tricts, mentioned below: Indore Barwani Khargone Mandsaur Neemuch Rajgarh Guna Ashok Nagar Khandwa Burhanpur Ratlam Shajapur Shivpuri Ujjain Dewas Dhar Jhabua Agar Alirajpur
22.	Senior most AGM of Circle Office, Kozhikode, Punjab National Bank, Shatabadi Bhawan, Mini Bypass Road, PO. Govindpuram, Kozhikode-673016	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Kozhikode in the State of Kerala, presently con- sisting 6 Districts, mentioned below: Kannur Kasargod Kozhikode Malapuram Palakad Wyanad			
23.	Senior most AGM of Circle Office, Bhopal, Punjab National Bank, Bhopal, PNB House, Arera Hills, Bhopal-4622011	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Bhopal, in the State of Madhya Pradesh, presently consisting 12 Dis- tricts, mentioned below: Betul Bhopal Datia Hoshangabad Harda Sehore Vidisha Gwalior Morena Sheopur Raisen Bhind	25.	Senior most AGM of Circle Office, Jabalpur, Punjab National Bank, Jabalpur, 1227, Napier Town, Jabalpur-482001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Jabalpur, in the State of Madhya Pradesh, presently consisting 20 Dis- tricts, mentioned below: Balaghat Chhatarpur Chhindwara Dindore Damoh Jabalpur Katni Mandla Narsinghpur Rewa Seoni Sagar Satna Sidhi Singrauli Anuppur Panna
24.	Senior most AGM of Circle Office, Indore, Punjab National Bank, Indore 20,	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Indore, in the			

(1)	(2)	(3)	(1)	(2)	(3)
		Shahdol			Aurangabad
		Tikamgarh			Dhulia
		Umaria			Kolhapur
26. Senior most AGM of Circle Office, Mumbai, Punjab National Bank, Plot No. C-9, G Block, Bandra Kurla Complex, Bandra (East) Mumbai (Maharashtra)		Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Mumbai, in the State of Maharashtra, presently consisting 4 Districts, mentioned below :			Nasik
		Mumbai			Sangli
		Mumbai Suburban			Solapur
		Thane			Ratnagiri
		Raigad			Sindudurg
27. Senior most AGM of Circle Office, Nagpur, Punjab National Bank, PNB House, Kingsway, Nagpur-440001		Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Nagpur, in the State of Maharashtra, presently consisting 16 Districts, mentioned below:	29. Senior most AGM of Circle Office, North Eastern Circle, Punjab National Bank, Neelgiri Mansion, Bhangadhar, G S Road, Guwahati		Satara
		Akola			Nandurbar
		Amravati			Beed
		Buldhana			Osmanabad
		Chandrapur			Jalna
		Gondia			North Goa
		Jalgaon			South Goa
		Nagpur			Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Guwahati, in the state of Assam, Arunachal Pradesh Meghalaya, Manipur, Tripura, Nagaland, Mizoram, presently consisting 82 Districts, mentioned below.
		Nanded			Barpeta (Assam)
		Wardha			Bongaigaon (Assam)
		yeotmal			Cachar (Assam)
		Latur			Dibrugarh (Assam)
		Parbhani			Goleghat (Assam)
		Bhandara			Jorhat (Assam)
		Gadchiroli			Kamrup (Assam)
		Hingoli			Karimganj (Assam)
		Washim			Nalbari (Assam)
28. Senior most AGM of Circle Office, Pune, Punjab National Bank, Arora Towers Beznine Floor, 9 Moledine Road, Pune Camp, Pune-411001		Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Pune, in the State of Maharashtra & Goa, presently consisting 17 Districts, mentioned below:			North Cachar Hills (Assam)
		Pune			Nagaon (Assam)
		Ahmednagar			Tinsukia (Assam)
					Sonitpur (Assam)
					Baksa (Assam)
					Chirang (Assam)
					Morigaon (Assam)
					Dhubri (Assam)
					Dhemaji (Assam)
					Hailakandi (Assam)
					Goalpara (Assam)
					Udalgiri (Assam)
					Darrang (Assam)

(1)	(2)	(3)	(1)	(2)	(3)
		Sibsagar (Assam)			West Garo Hills (Meghalya)
		Kamrup—Metropolitan (Assam)			West Khasi Hills (Meghalya)
		Karbi Anglong (Assam)			Aizawl (Mizoram)
		Kokrajhar (Assam)			Champhai (Mizoram)
		Lakhimpur (Assam)			Kolasib (Mizoram)
		Anjaw (Arunachal Pradesh)			Lunglei (Mizoram)
		Changland (Arunachal Pradesh)			Lwangtlai (Mizoram)
		Dibang Valley (Arunachal Pradesh)			Mamit (Mizoram)
		East Kameng (Arunachal Pradesh)			Saiha (Mizoram)
		East Siang (Arunachal Pradesh)			Sarchhip (Mizoram)
		Kurung Kumaey (Arunachal Pradesh)			Dimapur (Nagaland)
		Lohit (Arunachal Pradesh)			Junhebotto (Nagaland)
		Lower Dibang Valley (Arunachal Pradesh)			Kephrie (Nagaland)
		Lower Subansiri (Arunachal Pradesh)			Kohima (Nagaland)
		Papumpare (Arunachal Pradesh)			Longleng (Nagaland)
		Tawang (Arunachal Pradesh)			Mokokchung (Nagaland)
		Tirap (Arunachal Pradesh)			Mon (Nagaland)
		Upper Siang (Arunachal Pradesh)			Peren (Nagaland)
		Upper Subansiri (Arunachal Pradesh)			Phek (Nagaland)
		West Kameng (Arunachal Pradesh)			Tuensang (Nagaland)
		West Siang (Arunachal Pradesh)			Wokha (Nagaland)
		Bishnupur (Manipur)			Dhalai (Tripura)
		Chandel (Manipur)			North Tripura (Tripura)
		Churachandpur (Manipur)			South Tripura (Tripura)
		Imphal East (Manipur)			West Tripura (Tripura)
		Imphal West (Manipur)			Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Bhubaneswar, in the state of Orissa presently consisting 12 Districts, mentioned below:
		Senapati (Manipur)			Balasore
		Tamenglong (Manipur)			Bhadrak
		Thoubal (Manipur)			Cuttack
		Ukhrul (Manipur)			Dhenkanal
		East Garo Hills (Meghalya)			Gajapati
		East Khasi Hills (Meghalya)			Ganjam
		Jaintia Hills (Meghalya)			Jajpur
		Ribhoi (Meghalya)			Jagat Singhpur
		South Garo Hills (Meghalya)			Khurdha
					Nayagarh
					Puri
					Kendrapara
			30. Senior most AGM of Circle Office, Bhubaneswar, Punjab National Bank, 4th Floor, Deendayal Bhawan, Ashok Nagar, Janpath, Bhubaneswar, Orissa-751009		Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within
			31. Senior most AGM of Circle Office, Amritsar, Punjab		

(1)	(2)	(3)	(1)	(2)	(3)
	National Bank, Amritsar, IInd Floor, Macload Road, Opposite St. Francies School, Amritsar-143001	the administrative control of Circle Office , Amritsar, in the state of Punjab presently consisting 2 Districts, mentioned below : Amritsar Taran Taran	36.	Senior most AGM of Circle Office, Jaipur, Punjab National Bank, Jaipur, PNB House, 2 Nehru Place, Tonk Road, Jaipur-302015	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Jaipur, in the state of Rajasthan presently consisting 7 Districts, mentioned below :— Jaipur Dausa Tonk Kota Bundi Baran Jhalawar
32.	Senior most AGM of Circle Office, Hoshiarpur, Punjab National Bank, Improvement Trust Road Chandigarh Road, Hoshiarpur-146001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Hoshiarpur, in the state of Punjab presently consisting 3 Districts, mentioned below : Hoshiarpur Shahid Bhagat Singh Nagar Nawanshahar	37.	Senior most AGM of Circle Office, Bharatpur, Punjab National Bank, Bharatpur, PNB House, Super Bazar, Bharatpur-302001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Bharatpur, in the state of Rajasthan presently consisting 4 Districts, mentioned below : Bharatpur Dholpur Sawai Madhopur Karauli
33.	Senior most AGM of Circle Office, Jalandhar, Punjab National Bank, Jalandhar, Civil Lines, Jalandhar-144001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office , Jalandhar, in the state of Punjab presently consisting 1 Districts, mentioned below : Jalandhar	38.	Senior most AGM of Circle Office, Jodhpur, Punjab National Bank, Jodhpur, 802, 1st Floor, Chopasini Road, Jodhpur-302003	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Jodhpur, in the state of Rajasthan presently consisting 15 Districts, mentioned below : Ajmer Banswara Barmer Bhilwara Chittorgarh Dungarpur Jaisalmer Jalore Jodhpur Nagore Pali Pratapgarh Rajsamand Sirohi Udaipur
34.	Senior most AGM of Circle Office, Bathinda, Punjab National Bank, Bathinda, SCO-29-31 Model Town Phase-I, Facing TV Tower, Bathinda-151001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Bathinda, in the state of Punjab presently consisting 6 Districts, mentioned below: Bathinda Barnala Firozpur Fazilka Faridkot Muktsar			
35.	Senior most AGM of Circle Office, Ludhiana, Punjab National Bank, Site No. 5, Firozpur Road, Ludhiana-141001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office Ludhiana, in the state of Punjab presently consisting 2 Districts, mentioned below : Ludhiana Moga			

(1)	(2)	(3)	(1)	(2)	(3)
39.	Senior most AGM of Circle Office, Sriganaganagar, Punjab National Bank, Sriganaganagar PNB House, Meera Marg, Jawahar Nagar, Sriganaganagar-335001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Sriganaganagar, in the state of Rajasthan presently consisting 5 Districts, mentioned below : Bikaner Churu Jhunjhunu Hanumangarh Sriganaganagar			Nilgiris Pudukottai Ramanathapuram Salem Sivaganga Thanjavur Theni Thirunelveli Tiruvarur Trichy Tuticorin Virudunagar Dharampuri Krishnagiri Perambalur Tirupur
40.	Senior most AGM of Circle Office, Chennai, Punjab National Bank, Chennai, Royala Towers Third Floor, New No. 158, Salai Chennai-600002	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Chennai, in the state of Tamilnadu presently consisting 10 Districts, mentioned below : Chennai Kanchipuram Tiruvallur Tiruvannamalai Vellore Villupuram Karaikal (Puducherry U.T.) Mahe (Puducherry U.T.) Puducherry (Puducherry U.T.) Yanam (Puducherry U.T.)	42.	Senior most AGM of Circle Office, Agra, Punjab National Bank, Agra, 1-2, Rahunath Nagar, M.G Road, Agra-282002	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Agra, in the state of Uttar Pradesh presently consisting 9 Districts, mentioned below : Agra Etah Firozabad Mainpuri Mathura Etawah Hathras Kashiram Nagar Farrukhabad
41.	Senior most AGM of Circle Office, Trichy, Punjab National Bank, Trichy, PNB House, BHEL Kailashpuram, Tanjore Road, Trichy-620014	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Trichy, in the state of Tamilnadu presently consisting 26 Districts, mentioned below : Ariyalur Coimbatore Cuddalore Dindigul Erode Kanyakumari Karur Madurai Nagapattinam Namakkal	43.	Senior most AGM of Circle Office, Bareilly, Punjab National Bank, Bareilly, PNB House, Pilibhit bye pass Road, Bareilly-243001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Bareilly, in the state of Uttar Pradesh presently consisting 6 Districts, mentioned below : Bareilly Budaun Lakhimpur Kheri Pilibhit Shahjahanpur Hardoi

(1)	(2)	(3)	(1)	(2)	(3)
44.	Senior most AGM of Circle Office, Bulandshahr, Punjab National Bank, Bulandshahr, PNB House, Yamunapuram, Bulandshahr-203001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Bulandshahr, in the state of Uttar Pradesh presently consisting 2 Districts, mentioned below : Bulandshahr Aligarh	48.	Senior most AGM of Circle Office, Varanasi, Punjab National Bank, Varanasi, S-20/56-D, The Mall, Canady Road, Varanasi Cantt. Varanasi-221002	Kushinagar Sant KabirNagar Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Varanasi, in the state of Uttar Pradesh presently consisting 14 Districts, mentioned below : Allahabad Azamgarh Kaushambi Ballia Bhadohi Chandauli Ghazipur Jaunpur Maunath Bhanjan Mirzapur Pratapgarh Sonbhadra Varanasi Sant Ravidas Nagar
45.	Senior most AGM of Circle Office, Jhansi, Punjab National Bank, Jhansi, Near Sudha Nursing Home, Kanpur Road, Jhansi-284128	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Jhansi, in the state of Uttar Pradesh presently consisting 7 Districts, mentioned below : Jhansi Lalitpur Mahoba Banda Chitrakoot Hamirpur Jalaun	49.	Senior most AGM of Circle Office, Kanpur, Punjab National Bank, Kanpur, 59/29, Birhana Road, Kanpur-206001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Kanpur, in the state of Uttar Pradesh presently consisting 6 Districts, mentioned below : Fatehpur Auriya Kannauj Kanpur City Kanpur Dehat Unnao
46.	Senior most AGM of Circle Office, Lucknow, Punjab National Bank, Lucknow, Bibhuti Khand, Gomtinagar, Lucknow-226001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Lucknow, in the state of Uttar Pradesh presently consisting 5 Districts, mentioned below : Lucknow Barabanki Sitapur Raibareli Chhatrapati Sahu ji Maharaj Nagar	50.	Senior most AGM of Circle Office, Meerut, Punjab National Bank, Meerut, LIC Bldg, Prabhat Nagar, Saket, Meerut-250001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Meerut, in the state of Uttar Pradesh presently consisting 3 Districts, mentioned below : Baghpat Panchsheel Nagar Meerut
47.	Senior most AGM of Circle Office, Gorakhpur, Punjab National Bank, Gorakhpur, Alladpur Opposite Tulsi Inter College, Gorakhpur-273001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Gorakhpur, in the state of Uttar Pradesh presently consisting 5 Districts, mentioned below : Gorakhpur Deoria Maharajganj			

(1)	(2)	(3)	(1)	(2)	(3)
51.	Senior most AGM of Circle Office, Moradabad, Punjab National Bank, Moradabad, Ram Ganga Vihar, Civil Lines, Moradabad-244001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Moradabad, in the state of Uttar Pradesh presently consisting 7 Districts, mentioned below: Bijnor Amroha Sambhal Moradabad Jyotiba Phule Nagar Rampur Bhim Nagar	55.	Senior most AGM of Circle Office, Kashipur, Punjab National Bank, Kashipur, Bazpur Road, Kashipur-244716	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Kashipur, in the state of Uttarakhand presently consisting 6 Districts, mentioned below : Almora Nainital Udham Singh Nagar Pithoragarh Bageshwar Champawat
52.	Senior most AGM of Circle Office, Muzaffarnagar, Punjab National Bank, Muzaffarnagar, 68 Kumbal Wala Bagh, Muzaffarnagar-251001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Muzaffarnagar, in the state of Uttar Pradesh presently consisting 4 Districts, mentioned below : Saharanpur Shamli Prabudhnagar Muzaffarnagar	56.	Senior most AGM of Circle Office, Kolkata, Punjab National Bank, Kolkata, III Floor, AG Tower, 125/1, Park Street, Kolkata-700017	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Kolkata, in the state of West Bengal Andaman (UT) presently consisting 7 Districts, mentioned below : Kolkata 24 Parganas (South) 24 Parganas (North) Howrah Nicobar North & Middle Andaman South Andaman (Port Blair)
53.	Senior most AGM of Circle Office, Dehradun, Punjab National Bank, Dehradun, PNB House, Paltan Bazar, Dehradun-248001	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Dehradun, in the state of Uttarakhand presently consisting 3 Districts, mentioned below : Dehradun Uttarkashi Tehri-Garhwal	57.	Senior most AGM of Circle Office, Burdwan, Punjab National Bank, 103, GT Road, II Floor, Fancy Market Complex, Burdwan-713101	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Burdwan, in the state of West Bengal presently consisting 16 Districts, mentioned below ; Burdwan Bankura Darjeeling Birbhum Malda Dakshin Dinajpur Hoogly Jalpaiguri Murshidabad Uttar Dinajpur
54.	Senior most AGM of Circle Office, Hardwar, Punjab National Bank, Hardwar, PNB House, Sector-4, BHEL Complex, Hardwar	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Hardwar, in the state of Uttarakhand presently consisting 4 Districts, mentioned below : Hardwar Chamoli Pauri-Garhwal Rudrapur			

(1)	(2)	(3)	(1)	(2)	(3)
		Nadia Cooch Bihar East Sikkim North Sikkim South Sikkim West Sikkim			
58.	Senior most AGM of Circle Office, Midnapur, Punjab National Bank, Midnapur, Vidyasagar Road, Batala Chowk, Midnapore-721101	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Midnapore, in the state of West Bengal presently consisting 3 Districts, mentioned below West Midnapore East Midnapore Purulia	61.	Senior most AGM of Circle Office, Kapoorthala, Punjab National Bank, Kapoorthala, PNB House, Satya Narain Mandir Bazar, Kapoorthala-144601	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Kapoorthala in the state of Punjab presently consisting 3 Districts, mentioned below : Gurudasapur Kapoorthala Pathankot
59.	Senior most AGM of Circle Office, South Delhi, Punjab National Bank, 4th Floor, Rajendra Bhawan, Rajendra Place, New Delhi	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, South Delhi, in the state of Delhi & Haryana presently consisting 6 Districts, mentioned below: South Delhi South West Delhi Faridabad (Haryana) Gurgaon (Haryana) Mewat (Haryana) Palwal (Haryana)	62.	Senior most AGM of Circle Office, Patiala, Punjab National Bank, Patiala, Karam Complex, Sirhind Road, Patiala-147001 (Punjab)	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Patiala in the state of Punjab presently consisting 6 Districts, mentioned below : Sangrur Fatehgarh sahib Ropar Mohali Patiala Mansa
60.	Senior most AGM of Circle Office, Faizabad, Punjab National Bank, Faizabad, Acharya Narendra Dev Nagar, Faizabad-224001 (U.P.)	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Faizabad, in the state of Uttar Pradesh presently consisting 9 Districts, mentioned below : Basti Siddhartnagar Balrampur Ambedkarnagar Sultanpur Bahraich Faizabad Gonda Srawasti	63.	Senior most AGM of Circle Office, Kurukshetra, Punjab National Bank, Kurukshetra, Chhata Complex, Pipli Road Kurukshetra-136118 (Haryana)	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Kurukshetra in the state of Haryana presently consisting 4 Districts, mentioned below : Kaithal Kurukshetra Yamunanagar Jind
			64.	Senior most AGM of Circle Office, Alwar, Punjab National Bank, Alwar, Pratham Manzil Manu Marg, Alwar-301001 (Rajasthan)	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Alwar in the state of Rajasthan presently consisting 2 Districts, mentioned below : Alwar, Sikar

(1)	(2)	(3)	(1)	(2)	(3)
65.	Senior most AGM of Circle Office, Ernakulam, Punjab National Bank, Ernakulam, 40/1461, Market Road, Ernakulam-682011	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Ernakulam in the state of Kerala presently consisting 9 Districts, mentioned below :— Alapuzha Ernakulam Idukki Kottayam Pathanmitha Quilon Thrissur Thiruvananthapuram Kollam		(Gautam Budh Nagar) U.P.	consisting 2 Districts, mentioned below:- Ghaziabad Noida (Gautam Budh Nagar)
66.	Senior most AGM of Circle Office, Surat, Punjab National Bank, 4th Floor, Tulsi Kripa Archade, Bardoli Road, Surat-394214 (Gujarat)	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Surat in the state of Gujarat presently consisting 15 Districts, mentioned below: Anand, Bharuch, Dahod, Dang, Kheda, Navsari, Narmada, Panchmahal, Surat, Tapi, Vadodra, Valsad, Daman (Daman & Diu U T), Diu (Daman & Diu U T), Dadra & Nagar Haveli (UT)	68.	Senior most AGM of Circle Office, Central Delhi, Punjab National Bank, 4th Floor, Rajendra Bhawan, Rajendra Place, New Delhi	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Central Delhi in the state of Delhi presently consisting 6 Districts, mentioned below:- Central Delhi, New Delhi, South West Delhi, West Delhi, North Delhi, North West Delhi
67.	Senior most AGM of Circle Office, Noida, Punjab National Bank, 3rd Floor, C-13, Sector 1, Noida,	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Noida in the state of Uttar Pradesh presently	69.	Senior most AGM of Circle Office, Sambalpur, Punjab National Bank, Sambalpur : Manorma Building Danipalli, Bhimbhoinagar PO : Budhraj	Premises, belonging to or taken on lease by or on behalf of Punjab National Bank within the administrative control of Circle Office, Sambalpur in the state of Odhisa presently consisting 18 Districts, mentioned below:- Anugul, Baragarh, Balangir, Boudh, Deogarh, Jharsuguda, Kalahandi, Kandhamal, Koraput, Malkangiri, Mayurbhanj, Nabrangapur, Nuapada, Rayagada, Sambalpur, Subarnapur, Sundergarh, Keonjhar

[F. No. 4/3/2013-BOA]

M. M. DAWLA, Under Secy.

मानव संसाधन विकास मंत्रालय

(उच्चतर शिक्षा विभाग)

(राजभाषा यूनिट)

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2436.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम 4 के अनुसरण में, मानव संसाधन विकास मंत्रालय (स्कूल शिक्षा एवं साक्षरता विभाग) के अंतर्गत केंद्रीय विद्यालय संगठन (मुख्यालय), नई दिल्ली के निम्नलिखित 6 केंद्रीय विद्यालयों को, ऐसे कार्यालयों के रूप में, जिसके 80 प्रतिशत से अधिक कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :

1. केंद्रीय विद्यालय, कठायतबाड़ा, बागेश्वर, (उत्तराखण्ड)–263642
2. केंद्रीय विद्यालय, गोपेश्वर, पठियालधार (ए.एन.एम. प्रशिक्षण केंद्र के समीप), जिला चमोली (उत्तराखण्ड)–246401
3. केंद्रीय विद्यालय, रेलवे कॉलोनी, फुलेरा, जिला-जयपुर (राजस्थान)–303338
4. केंद्रीय विद्यालय, (सी.सु.ब.) रायसिंहनगर, जिला-श्रीगंगानगर, (राजस्थान)–335051
5. केंद्रीय विद्यालय, चितरंजन, जिला-बर्दवान (प. बंगाल)–713331
6. केंद्रीय विद्यालय, आई आई एम जोका, डायमंड हार्बर रोड, कोलकाता-700104

[सं. 11011-3/2014-रा.भा.ए.]

आर. पी. सिसोदिया, संयुक्त सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Higher Education)

(O.L. UNIT)

New Delhi, the 8th September, 2014

S.O. 2436.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following 6 Kendriya Vidyalayas of Kendriya Vidyalaya Sangathan (HQ), New Delhi under the Ministry of Human Resource Development, (Department of School Education & Literacy) as offices, whose more than 80% members of the staff have acquired working knowledge of Hindi :

1. Kendriya Vidyalaya, Kathayatbara, Bagheshwar (Uttarakhand)-263642
2. Kendriya Vidyalaya, Pathiyaldhar (Near ANM Training Centre), Gopeshwar, Distt-Chamoli (Uttarakhand)-246401
3. Kendriya Vidyalaya, Railway Colony, Phulera, Distt-Jaipur (Rajasthan)-303338
4. Kendriya Vidyalaya, (BSF) Raisinghnagar, Distt-Shriganganagar (Rajasthan)-335501

5. Kendriya Vidyalaya, Chittranjan, Distt-Burdwan (West Bengal)-713331

6. Kendriya Vidyalaya, IIM Joka, Diamond Harbour Road, Kolkata-700104

[No. 11011-3/2014-O.L.U.]

R. P. SISODIA, Jt. Secy.

संचार और सूचना प्रौद्योगिकी मंत्रालय

(डाक विभाग)

नई दिल्ली, 4 सितम्बर, 2014

का.आ. 2437.—चूंकि केन्द्रीय सरकार का मत है कि श्री रवि प्रकाश भगत, कनष्ट लेखाकार से संबंधित विभागीय जाँच के प्रयोजन के लिए नायब तहसीलदार एवं कार्यपालक दण्डाधिकारी, गोरखपुर, जबलपुर, मध्यप्रदेश को साक्षी के रूप में बुलाने/उनसे कोई दस्तावेज लेने की आवश्यकता है ।

अतः विभागीय जाँच (साक्षियों की उपस्थिति के प्रवर्तन एवं दस्तावेजों के प्रस्तुतीकरण) अधिनियम, 1972 (1972 का 18) की धारा 4 की उप-धारा (1) में प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार इसके द्वारा श्री अजय कुमार, सहायक अक्षीक्षक डाकघर, मुख्य पोस्टमास्टर जनरल का कार्यालय, दिल्ली परिमंडल, नई दिल्ली को नायब तहसीलदार एवं कार्यपालक दण्डाधिकारी, गोरखपुर, जबलपुर, मध्यप्रदेश के संबंध में उक्त अधिनियम की धारा 5 में विनिर्दिष्ट शक्तियों का प्रयोग करते हुए जाँच अधिकारी का प्राधिकार प्रदान करती है ।

[सं. प्रशा. III/स्टाफ/अनुशा./रवि]

वासुमित्र, मुख्य पोस्टमास्टर जनरल

MINISTRY OF COMMUNICATION AND INFORMATION TECHNOLOGY

(Department of Posts)

New Delhi, the 4th September, 2014

S.O. 2437.—Whereas the Central Government is of opinion that for the purposes of the departmental inquiry relating to Shri Ravi Prakash Bhagat, Jr. Acctt, it is necessary to summon as witness/call for any document from Nayab Tehsildar evam Karyapalik Dandadhikari, Gorakhpur, Jabalpur, Madhya Pradesh.

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of witnesses and Production of Documents) Act 1972 (18 of 1972) the Central Government hereby authorizes Shri Ajay Kumar, ASP, o/o CPMG, Delhi Circle, New Delhi as the inquiring Authority to exercise the power specified in Section 5 of the said Act in relation to Nayab Tehsildar evam Karyapalik Dandadhikari, gorakhpur, Jabalpur, madhya Pradesh.

[No. Admn. III/Staff/Disc/Ravi]

VASUMITRA, Chief Postmaster General

उपभोक्ता मामले खाद्य एवं सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

(भारतीय मानक ब्यूरो)

नई दिल्ली, 27 जून, 2014

का.आ. 2438.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उप-विनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं, को लाइसेंस जारी कर दिए गए हैं :—

अनुसूची

क्रम सं.	लाइसेंस सं.	जारी करने की तिथि	पार्टी का नाम और पता	मानक का शीर्षक	भा.मा. सं.	भाग	खण्ड	वर्ष
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	2883678	8 मई, 2014	मैसर्स आयुष इन्डस्ट्रीज, 8, मवडी प्लॉट, राजकोट, गुजरात-360004	एक फेजी छोटे एसी और यूनीवर्सल बिजली की मोटर	996	0	0	2009
2.	2886381	15 मई, 2014	मैसर्स तिर्थ पम्प इन्डस्ट्रीज, प्लॉट नं. 13, महादेव इन्डस्ट्रीयल एरिया, महादेव कार्स्टिंग के पीछे, कोठारिया सोल्वन्ट, कोठारीया, राजकोट, गुजरात-360002	निमज्जनीय पम्प सेट	8034	0	0	2002
3.	2886684	15 मई, 2014	मैसर्स हितेश बेवेरेजीस, हनुमानजी मंदिर के पास, गाँव टींवडी, मोरवी कच्छ हाईवे, तालुका मोरबी, राजकोट, गुजरात-363642	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)	14543	0	0	2004
4.	2886987	16 मई, 2014	मैसर्स सागर पोलिटेकनिक लिमिटेड, प्लॉट नं. 109 से 111, बामनबोर जीआईडीसी, तालुका चोटीला, गाँव बामनबोर, जिला सुरेन्द्रनगर, गुजरात-363520	ईमिटिंग पाईप सीस्टम	13488	0	0	2008
5.	2887585	19 मई, 2014	मैसर्स गीता वुड प्रोडक्ट्स, सेक्टर 01, प्लेट नं. 3, प्लॉट नं. 3, सत्यम अपार्टमेन्ट, ओस्लो सर्कल, गांधीधाम, जिला कच्छ, गुजरात 370201	लकड़ी के सपाट दरवाजे के शटर ठोस कोर टाइप (भाग 1, प्लाईवुड के सतह युक्त पल्ले	2202	1	0	1999
6.	2887484	21 मई, 2014	मैसर्स गीता वुड प्रोडक्ट्स, सेक्टर 01, प्लेट नं. 3, प्लॉट नं. 3, सत्यम अपार्टमेन्ट, ओस्लो सर्कल, गांधीधाम, जिला कच्छ, गुजरात-370201	ब्लॉक बोर्ड	1659	0	0	2004
7.	2889690	29 मई, 2014	मैसर्स रैयाराज इलेक्ट्रीकल्स सर्वे नं. 234, सहजानंद इन्डस्ट्रीयल एस्टेट, मुरलीधर वे ब्रीज स्ट्रीट, आजि रिंग रोड, राष्ट्रीय राजमार्ग 8बी, कोठारीया चोकडी के पास, राजकोट, गुजरात	निमज्जनीय पम्प सेट	8034	0	0	2002

[सं. आर.बी.ओ./राजपत्र/2014]

सं. चतुर्वेदी, वैज्ञानिक 'एफ' एवं प्रमुख

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)****(Bureau of Indian Standards)**

New Delhi, the 27th June, 2014

S.O. 2438.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certificate) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following schedule :

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and address of the party	Title of the Standard	IS No.	Part	Sec.	Year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	2883678	8/5/2014	M/s. Ayush Industries, 8-Mavdi Plot, Rajkot, Gujarat-360004	Single-phase small AC and universal electric motors	996	0	0	2009
2.	2886381	15/5/2014	M/s. Tirth Pump Industries, Plot No.-13, Mahadev Ind. Area, B/H Mahadev Casting, Kothariya Solvant, Kothariya, Rajkot, Gujarat-360002	Submersible Pumpsets- Specification	8034	0	0	2002
3.	2886684	15/5/2014	M/s. Hitesh Beverages, Near Hanumanji Temple, At Timbadi, Morbi Kachchh Highway, Taluka Morbi, Rajkot, Gujarat-363642	Packaged Drinking Water (other than Packaged Natural Mineral Water)- Specification	14543	0	0	2004
4.	2886987	16/5/2014	M/s. Sagar Ploytechnik Limited, Plot No. 109 to 111, Bamanbore GIDC, Taluka Chotila, At Village Bamanbore, District : Surendranagar, Gujarat-363520	Emitting pipes system	13488	0	0	2008
5.	2887585	19/5/2014	M/s. Geeta Wood Products, Sector-01, Flate No. 3, Plot No. 3, Satyam Apartment, Oslo Circle, Gandhidham, District : Kachchh, Gujarat-370201	Specification for wooden flush door shutters (solid core type) : Part 1 Plywood face panels	2202	1	0	1999
6.	2887484	21/5/2014	M/s. Geeta Wood Products, Sector-1, Flat No. 3, Plot No. 3, Satyam Apartment, Oslo Circle, Gandhidham, District : Kachchh, Gujarat-370201	Specification for block board	1659	0	0	2004
7.	2889690	29/5/2014	M/s. Raiyaraj Electricals, S. No. 234, Sahajanand Ind. Estate, Murlidhar Way Bridge Street, Aji Ring Road, N.H. 8-B, Near Kothariya Chokdi, Rajkot, Gujarat	Submersible Pumpsets- Specification	8034	0	0	2002

[No. RBO/Gazette/2014]

S. CHATURVEDI, Scientist 'F' and Head

नई दिल्ली, 27 जून, 2014

का.आ. 2439.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उप-विनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं, के लाइसेंस रद्द किए गए हैं :—

अनुसूची

क्रम सं.	लाइसेंस सं.	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	समाप्ति की तिथि
(1)	(2)	(3)	(4)	(5)
1.	7441772	मैसर्स वेल्सन बेवेरेजीस एण्ड फुड्स सर्वे नं. 96, गांव किकमा, भुज अंजार रोड, जिला कच्छ, गुजरात-370001	पैकेजबंद पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा) आई.एस. 14543 : 2004	22 मई, 2014

[सं. सी.एम.डी./13 : 11]

सं. चतुर्वेदी, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 27th June, 2014

S.O. 2439.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certificate) Regulations, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below have cancelled/suspended with effect from the date indicated against each :

SCHEDULE

Sl. No.	License No. CM/L	Name & Address of the Licensee	Article/Process with relevant Indian Standards covered by the licence cancelled/suspension	Date of Cancellation
(1)	(2)	(3)	(4)	(5)
1.	7441772	Velson Beverages & Food Survey No. 96, AT : Kikma, Bhuj Anjar Road, Taluka-Bhuj, District : Kachchh, Gujarat-370001	Packaged Drinking Water (other than Packaged Natural Mineral Water)-Specification	22/05/2014

[No. CMD/13 : 11]

S. CHATURVEDI, Scientist 'F' and Head

नई दिल्ली, 29 अगस्त, 2014

का.आ. 2440.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं ।

अनुसूची

क्रम सं.	संशोधित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक	संशोधन की संख्या और तिथि	समाप्ति की तिथि
(1)	(2)	(3)	(4)
1.	आईएस 2347 : 2006 (पांचवां पुनरीक्षण)	संशोधन संख्या 2 सितम्बर, 2014	29 नवम्बर, 2014
2.	आईएस 2418 (भाग 1) : 1977 (पहला पुनरीक्षण)	संशोधन संख्या 9 जुलाई, 2014	2 मार्च, 2015
3.	आईएस 2418 (भाग 2) : 1977 (पहला पुनरीक्षण)	संशोधन संख्या 4 जुलाई, 2014	2 मार्च, 2015
4.	आईएस 9079 : 2002	संशोधन संख्या 2 मार्च, 2014	2 मार्च, 2015
5.	आईएस 13252 (भाग 1) : 2010/आईईसी 60950-1 : 2005 (दूसरा पुनरीक्षण)	संशोधन संख्या 1 जून, 2014	29 अगस्त, 2014
6.	आईएस 15907 : 2010	संशोधन संख्या 1 मार्च, 2014	2 मार्च, 2015

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, नागपुर, पटना, पूणे तथा कोचि में बिक्री हेतु उपलब्ध हैं। भारतीय मानकों को <http://www.standardsbis.in> द्वारा इंटरनेट पर खरीदा जा सकता है।

दिनांक 29 अगस्त, 2014

[संदर्भ : पब्लिक/जीएन 2 : 2]

कला एम. वारियर, निदेशक (विदेशी भाषा एवं प्रकाशन)

New Delhi, the 29 August, 2014

S.O. 2440.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 2347 : 2006 Domestic Pressure Cookers-Specification (Fifth Revision)	Amendment No. 2, September 2014	29 November, 2014
2.	IS 2418 (Part 1) : 1977 Specification for Tubular Fluorescent Lamps for General Lighting Service Part 1 Requirement and Tests (First Revision)	Amendment No. 9, July 2014	2 March, 2015
3.	IS 2418 (Part 2) : 1977 Specification for Tubular Fluorescent Lamps for General Lighting Service Part 2 Standard Lamp Data Sheets (First Revision)	Amendment No. 4, July 2014	2 March, 2015
4.	IS 9079 : 2002 Electric Monoset Pumps for Clear Cold Water for Agricultural and Water Supply Purposes-Specification (Second Revision)	Amendment No. 2, March 2014	2 March, 2015
5.	IS 13252 (Part 1) : 2010/IEC 60950-1 : 2005 Information Technology Equipment - Safety Part 1 General Requirements (Second Revision)	Amendment No. 1, June 2013	29 August, 2014
6.	IS 15907 : 2010 Agro Textiles - High Density Polyethylene (HDPE) Woven Beds for Vermiculture-Specification	Amendment No. 1, March 2014	2 March, 2015

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Nagpur, Patna, Pune, Kochi. On line purchase of Indian Standard can be made at : <http://www.standardsbis.in>.

Date : 29th August, 2014

[Ref : PUB /GN 2:2]

KALA MADHAVI VARIAR, Director (Foreign Languages & Publications)

नई दिल्ली, 1 अगस्त, 2014

का.आ. 2441.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्थापित हो गये हैं।

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	स्थापित तिथि	भारतीय मानक(कों) जो कि रद्द होने हैं, अगर हैं, की संख्या वर्ष और शीर्षक	रद्द होने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	आई.एस. 1956 (भाग 4) : 2013 लौह एवं इस्पात पारिभाषिक शब्दावली भाग 4 स्पष्ट उत्पाद (दूसरा पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 1956 (भाग 4) : 1975 (पहला पुनरीक्षण)	1 अगस्त, 2014

(1)	(2)	(3)	(4)	(5)
2.	आई.एस. 2796 : 2014 मोटर गैसोलिन-विशिष्ट (पांचवां पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 2796 : 2008 (चतुर्थ पुनरीक्षण)	1 अगस्त, 2014
3.	आई.एस. 4880 (भाग 7) : 2014 पानी के प्रवाह के लिए सुरंगों के डिजाइन की रीति संहिता भाग 7 , इस्पात अस्तरण वाली संरचना डिजाइन (पहला पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 4880 (भाग 7) : 1975	1 अगस्त, 2014
4.	आई.एस./आई.एस.ओ. 5832-2 : 1999 शल्य चिकित्सा के लिए प्रत्यारोपण-धातु सामग्री भाग 2 अमिश्रित टाइटेनियम	1 अगस्त, 2014	आई.एस. 5347 (भाग 3) : 1996	1 अगस्त, 2014
5.	आई.एस./आई.एस.ओ. 5832-3 : 1996 शल्य चिकित्सा के लिए प्रत्यारोपण-धातु सामग्री भाग 3 पिटवॉ टाइटेनियम 6-एल्युमिनियम 4-वेनेडियम मिश्रधातु	1 अगस्त, 2014	आई.एस. 5347 (भाग 4) : 1996	1 अगस्त, 2014
6.	आई.एस./आई.एस.ओ. 5832-5 : 2005 शल्य चिकित्सा के लिए प्रत्यारोपण-धातु सामग्री भाग 5 पिटवॉ कोबाल्ट-क्रोमियम-टंगस्टन-निकल मिश्रधातु	1 अगस्त, 2014	आई.एस. 5347 (भाग 6) : 1996	1 अगस्त, 2014
7.	आई.एस./आई.एस.ओ. 5832-8 : 1997 शल्य चिकित्सा के लिए प्रत्यारोपण-धातु सामग्री भाग 8 पिटवॉ कोबाल्ट-निकल-क्रोमियम-मोलिब्डेनम टंगस्टन-लोह मिश्रधातु	1 अगस्त, 2014	आई.एस. 5347 (भाग 12) : 1993	1 अगस्त, 2014
8.	आई.एस./आई.एस.ओ. 5832-9 : 2007 शल्य चिकित्सा के लिए प्रत्यारोपण-धातु सामग्री भाग 9 पिटवॉ उच्च नाइट्रोजन स्टेनलेस स्टील	1 अगस्त, 2014	आई.एस. 5347 (भाग 13) : 1997	1 अगस्त, 2014
9.	आई.एस. 9549 (भाग 2) : 2014 फास्टर-बोल्ट स्क्रू एवं स्टैंड-बोल्ट के हैड स्लॉट (पहला पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 9549 : 1980	1 अगस्त, 2014
10.	आई.एस. 10980 (भाग 1) : 2014 आई.एस.ओ. 5855-1 : 1999 वायुयान-एम जे चूड़ियां भाग 1 सामान्य अपेक्षाएं (पहला पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 10980 (भाग 1) : 1984	1 अगस्त, 2014
11.	आई.एस. 12207 : 2014 कृषि ट्रैक्टर-चुने हुए कार्यकारिता मापदण्डों की सिफारिशें (तीसरा पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 12207 : 2007 (दूसरा पुनरीक्षण)	1 अगस्त, 2014
12.	आई.एस. 13365 (भाग 4) : 2014 शल संहिता मात्रात्मक तंत्र-मार्गदर्शी सिद्धान्त भाग 4 भूगर्भीय सामर्थ्य सूचकांक	1 अगस्त, 2014	NA	NA
13.	आई.एस. 13599 : 2014 स्वचल वाहन-उपकरण तंत्र-तापमान गेज-विद्युत एवं इलेक्ट्रॉनिक प्रकार-विशिष्ट (पहला पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 13599 : 1993	1 अगस्त, 2014
14.	आई.एस./आई.एस.ओ. 13606-3 : 2009 स्वास्थ्य सूचना विज्ञान-इलेक्ट्रॉनिक स्वास्थ्य रिकार्ड संचार भाग 3 संदर्भ मूलरूप आदर्श एवं शब्द सूची	1 अगस्त, 2014	NA	NA

(1)	(2)	(3)	(4)	(5)
15.	आई.एस. 13656 : 2014 अन्तर्दहन इंजनों के लिए क्रैंककेस तेल (पेट्रोल और डीजल)-विशिष्टि (दूसरा पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 13656 : 2002 (पहला पुनरीक्षण)	1 अगस्त, 2014
16.	आई.एस. 13708 (भाग 1) : 2014/आई.एस.ओ. 8729-1 : 2010 शिप एवं मेरीन प्रौद्योगिकी-मेरीन रडार रिफ्लेक्टर भाग 1 पैसिव टाइप (दूसरा पुनरीक्षण)	1 अगस्त, 2014	NA	NA
17.	आई.एस. 15408 : 2014/आई.एस.ओ. 15394 : 2009 पैकेजबंदी-जहाजरानी, परिवहन और ग्राही स्तरों के लिए अवरोध संहिता और द्वि-आयामी प्रतीक (पहला पुनरीक्षण)	1 अगस्त, 2014	आई.एस. 15408 : 2003/ आई.एस.ओ. 15394 : 2000	1 अगस्त, 2014
18.	आई.एस. 16144 : 2014 अनाज भंडारण गोदामों के लिए रीति संहिता	1 अगस्त, 2014	NA	NA
19.	आई.एस. 16146 : 2014 सनसेट येलो की एल्युमिनियम लेक, एफ सी एफ, खाद्य ग्रेड-विशिष्टि	1 अगस्त, 2014	NA	NA
20.	आई.एस. 16172 : 2014 कंक्रीट में प्रयुक्त सरियों के यांत्रिक संबंधन हेतु प्रबलन युग्मक-विशिष्टि	1 अगस्त, 2014	NA	NA
21.	आई.एस. 16195 : 2014/आई.एस.ओ./टी.एस. 15495 : 2010 दुग्ध, दुग्ध उत्पाद एवं शिशु फार्मूले-एल सी-एम एस/एम एस द्वारा मेलामाइन और सायन्यूरिक अम्ल के मात्रात्मक निर्धारण के लिए दिशानिर्देश	1 अगस्त, 2014	NA	NA
22.	आई.एस. 16219 : 2014 स्वचल वाहन-धातु की ईंधन टंकी-विशिष्टि	1 अगस्त, 2014	NA	NA
23.	आई.एस. 16232 : 2014 लौह प्रबलित आयोडीनकृत नमक-खाद्य ग्रेड-विशिष्टि	1 अगस्त, 2014	NA	NA
24.	आई.एस./आई.ई.सी. 60050-415 : 1999 विद्युत तकनीकी पारिभाषिक शब्दावली भाग 415 वायु टरबाइन जनरेटर प्रणालियाँ	1 अगस्त, 2014	NA	NA
25.	आई.एस./आई.ई.सी. 61400-21 : 2008 वायु टरबाइन भाग 21 ग्रिड से जुड़ी वायु टरबाइन के पॉवर गुणता का मापन और मूल्यांकन	1 अगस्त, 2014	NA	NA

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, पटना, पूणे तथा कोचि में बिक्री हेतु उपलब्ध हैं। भारतीय मानकों को <http://www.standardsbis.in> द्वारा इंटरनेट पर खरीदा जा सकता है।

दिनांक : 01.08.2014

[संदर्भ : पब/जीएन 1 : 1]

कला एम. वारियर, निदेशक (विदेशी भाषा एवं प्रकाशन)

New Delhi, the 1st August, 2014

S.O. 2441.—In pursuance of Clause (b) of sub-rule (1) of Rules 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the second column of Schedule hereto annexed has been established on the date indicated against it in third column. The particulars of the standards, if any, which are given in the fourth column shall also remain in force concurrently till they are cancelled on the date indicated against them in the fifth column.

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	Date of Establishment	No. & Year of the Indian Standards to be cancelled, if any	Date of cancellation
(1)	(2)	(3)	(4)	(5)
1.	IS 1956 (Part 4) : 2013 Glossary of Terms Relating to Iron and Steel - Part 4 Flat Products (Second Revision)	01 August, 2014	IS 1956 (Part 4) : 1975 (First Revision)	01 August, 2014
2.	IS 2796 : 2014 Motor Gasoline - Specification (Fifth Revision)	01 August, 2014	IS 2796 : 2008 (Fourth Revision)	01 August, 2014
3.	IS 4880 Part 7 : 2014 Code of practice for Design of tunnels conveying water part 7 Structural design of steel lining (First Revision)	01 August, 2014	IS 4880 Part 7 : 1975	01 August, 2014
4.	IS/ISO 5832-2 : 1999 Implants for surgery - Metallic materials - Part 2 : Unalloyed Titanium	01 August, 2014	IS 5347 (Part 3) : 1996	01 August, 2014
5.	IS/ISO 5832-3 : 1996 Implants for surgery - Metallic materials Part 3: Wrought Titanium	01 August, 2014	IS 5347 (Part 4) : 1996	01 August, 2014
6.	IS/ISO 5832-5 : 2005 Implants for surgery - Metallic materials - Part 5: Wrought Cobalt-Chromium-Tungsten-Nickel Alloy	01 August, 2014	IS 5347 (Part 6) : 1996	01 August, 2014
7.	IS/ISO 5832-8 : 1997 Implants for surgery - Metallic materials - Part 8 : Wrought Cobalt Nickel-Chromium-Molybdenum-Tungsten-Iron alloy	01 August, 2014	IS 5347 (Part 12) : 1993	01 August, 2014
8.	IS/ISO 5832-9 : 2007 Implants for surgery - Metallic materials - Part 9 : Wrought High Nitrogen Stainless Steel	01 August, 2014	IS 5347 (Part 13) : 1997	01 August, 2014
9.	IS 9549 (Part 2) : 2014 Fasteners - Bolts, Screws and Studs - Head Slots for Bolts (First Revision)	01 August, 2014	IS 9549 : 1980	01 August, 2014
10.	IS 10980(Part 1) : 2014/ISO 5855-1 : 1999 Aerospace - MJ threads Part 1 General requirements (First Revision)	01 August, 2014	IS 10980 (Part 1) : 1984	01 August, 2014
11.	IS 12207 : 2014 Agriculture Tractors - Recommendations on selected performance Characteristics (Third Revision)	01 August, 2014	IS 12207 : 2007 (Second Revision)	01 August, 2014

(1)	(2)	(3)	(4)	(5)
12.	IS 13365 (Part 4) : 2014 Quantitative Classification of Rock Mass - Guidelines Part 4 Geological Strength Index (GSI)	01 August, 2014	NA	NA
13.	IS 13599 : 2014 Automotive Vehicles - Instrument Systems - Temperature Gauges - Electrical and Electronic Type - Specification (First Revision)	01 August, 2014	IS 13599 : 1993	01 August, 2014
14.	IS/ISO 13606-3 : 2009 Health Informatics - Electronic Health Record Communication Part 3 References Archetypes and term Lists	01 August, 2014	NA	NA
15.	IS 13656 : 2014 Internal Combustion Engine Crankcase Oils for Automotive Application (Diesel & Gasoline) - Specification (Second Revision)	01 August, 2014	IS 13656 : 2002 (First Revision)	01 August, 2014
16.	IS 13708 (Part 1) : 2014 / ISO 8729-1 : 2010 Ships and Marine Technology - Marine Radar Reflectors : Part 1 Passive Type (Second Revision)	01 August, 2014	NA	NA
17.	IS 15408 : 2014/ ISO 15394 : 2009 Packaging - Bar Code and Two - Dimensional Symbols for Shipping Transport and Receiving labels (First Revision)	01 August, 2014	IS 15408 : 2003 / ISO 15394 : 2000	01 August, 2014
18.	IS 16144 : 2014 Foodgrain Storage Godowns - Code of Practice	01 August, 2014	NA	NA
19.	IS 16146 : 2014 Aluminium Lake of Sunset Yellow FCF Food Grade – Specification	01 August, 2014	NA	NA
20.	IS 16172 : 2014 Reinforcement Couplers for Mechanical Splices of Bars in Concrete - Specification	01 August, 2014	NA	NA
21.	IS 16195 : 2014/ISO/TS 15495 : 2010 Milk, Milk Products And Infant Formulae - Guidelines for the Quantitative Determination of Melamine and Cyanuric Acid by LC-MS/MS	01 August, 2014	NA	NA
22.	IS 16219 : 2014 Automotive Vehicles - Metallic Fuel Tanks – Specification	01 August, 2014	NA	NA
23.	IS 16232 : 2014 Iron Fortified Iodized Salt (Double Fortified Salt) - Food Grade – Specification	01 August, 2014	NA	NA
24.	IS/IEC 60050-415 : 1999 Electrotechnical Vocabulary Part 415 Wind Turbine Generator Systems	01 August, 2014	NA	NA
25.	IS/IEC 61400-21 : 2008 Wind Turbines Part 21 Measurement and Assessment of Power Quality Characteristics of Grid Connected Wind Turbines	01 August, 2014	NA	NA

Copies of these standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi – 110002 and Regional Offices : Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Nagpur, Patna, Pune, Kochi.

Date : 1-8-2014

[Ref : PUB/GN-1 : 1]

KALA M. VARIAR, Director (Foreign Languages & Publications)

श्रम और रोजगार मंत्रालय

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2442.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथासंशोधित, 1987) के नियम 10 के उप-नियम (4) के अनुसरण में, श्रम और रोजगार मंत्रालय के प्रशासकीय नियंत्रणाधीन निम्नलिखित कार्यालयों को, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है :

1. उप क्षेत्रीय कार्यालय, कर्मचारी राज्य बीमा निगम, अम्बाला
2. उप क्षेत्रीय कार्यालय, कर्मचारी राज्य बीमा निगम, मरोल
3. शाखा कार्यालय, कर्मचारी राज्य बीमा निगम, कर्मपुरा
4. कार्यालय अपर केन्द्रीय भविष्य निधि आयुक्त, (हरियाणा एवं राजस्थान), फरीदाबाद
5. कार्यालय अपर केन्द्रीय भविष्य निधि आयुक्त, (गुजरात एवं मध्य प्रदेश), अहमदाबाद
6. कार्यालय अपर केन्द्रीय भविष्य निधि आयुक्त, (महाराष्ट्र एवं छत्तीसगढ़), मुंबई-1
7. कार्यालय अपर केन्द्रीय भविष्य निधि आयुक्त, (कर्नाटक एवं गोवा), बंगलौर
8. आंचलिक प्रशिक्षण संस्थान (उत्तर क्षेत्र), क.भ.नि.सं., फरीदाबाद
9. उप क्षेत्रीय कार्यालय, क.भ.नि.सं., इलाहाबाद (उत्तर प्रदेश)
10. उप क्षेत्रीय कार्यालय, क.भ.नि.सं., शिवमोगा (कर्नाटक)
11. उप क्षेत्रीय कार्यालय, क.भ.नि.सं., चिक्कमंगलूर (कर्नाटक)
12. उप क्षेत्रीय कार्यालय, क.भ.नि.सं., बेल्लारी (कर्नाटक)
13. उप क्षेत्रीय कार्यालय, क.भ.नि.सं., मैसूर रोड (कर्नाटक)
14. उप क्षेत्रीय कार्यालय, क.भ.नि.सं., के.आर. पुरम (बंगलौर)
15. उप क्षेत्रीय कार्यालय, क.भ.नि.सं., कुक्कटपल्ली, (हैदराबाद)

[सं. ई-11017/1/2006-रा.भा.नी.]

ए.के. पण्डा, आर्थिक सलाहकार

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 8th September, 2014

S.O. 2442.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976 (as amended, 1987) the Central Government hereby notifies following offices under the administrative control of the Ministry of Labour and Employment, more than 80% Staff whereof have acquired working knowledge of Hindi :—

1. Sub Regional Office, ESIC, Ambala
2. Sub Regional Office, ESIC, Marol
3. Branch Office, ESIC, Karmapura
4. Office of Additional Central P.F. Comm., (Haryana and Rajasthan), Faridabad

5. Office of Additional Central P.F. Comm., (Gujrat and Madhya Pradesh), Ahmedabad
6. Office of Additional Central P.F. Comm., (Maharashtra and Chhattisgarh), Mumbai-1
7. Office of Additional Central P.F. Comm., (Karnatak and Goa), Bangalore
8. Zonal Training Institute (North Zone), EPFO, Faridabad
9. Sub Regional Office, EPFO, Allahabad, (UP)
10. Sub Regional Office, EPFO, Shivmoga (Karnatak)
11. Sub Regional Office, EPFO, Chikkmangalore (Karnatak)
12. Sub Regional Office, EPFO, Bellari (Karnatak)
13. Sub Regional Office, EPFO, Mysore Road (Karnatak)
14. Sub Regional Office, EPFO, K.R. Puram (Bangalore)
15. Sub Regional Office, EPFO, Kukkatpalli (Hyderabad)

[No. E-11017/1/2006-RBN]

A. K. PANDA, Economic Adviser

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2443.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 64/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/91/2008-आई.आर. (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2443.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 64/2008) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/91/2008-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD**

In the Matter of A Reference U/S 10(1) (D) (2A) of I.D. Act, 1947.

Ref. No. 64 of 2008

Employers in relation to the management of Sijua Area of M/s. BCCL

AND

Their workmen

Present : Sri Ranjan Kumar Saran, Presiding officer

Appearances:

For the Employers : Sri D.K.Verma, Advocate

For the workman : Sri R.R.Ram, Advocate

State : Jharkhand Industry : Coal.

Dated. 28/07/2014

AWARD.

By Order No.L-20012/91/2008-IR -(CM-I), dated 18/12/2008, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Sendra Bansjora Colliery under Sijua Area of M/s. BCCL in dismissing Shri Jageshwar Bhuia, Miner/Loader from the services of the company w.e.f. 20.08.2004 is legal and justified? (ii) To what relief is the concerned workman entitled?”

2. The case is received from the Ministry of Labour on 29.12.2008. After receipt of reference, both parties are noticed, the Sponsoring Union files their written statement on 04/01/12. And the management files their written statement-cum-rejoinder on 04.12.2012. The point involved in the reference is that the workman has been dismissed from his services on absenteeism ground.

3. During preliminary hearing it is revealed that, this case is dismissal of workman for long absence on duty. He has already out of service for 10 years. It is felt to give another chance to the workman to serve.

4. Considering the facts and circumstances of this case, I hold that he be taken into job as a fresh employee. But the workman be kept under probation for a period two year. At the time of appointment his identity is to be scrutinised by the management. Therefore the question of back wages does not arise at all.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2444.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 67/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/69/2004-आईआर (सीएम-I)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2444.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 67/2008) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. CCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/69/2004-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

In the matter of reference U/S. 10 (1) (d) (2A) of I.D.Act, 1947

Ref. No. 67 of 2004

Employer in relation to the management of
Karo O.C.P M/s. CCL

AND

Their workmen.

Present : Sri Ranjan Kumar Saran, Presiding Officer.

Appearances :

For the Employers : Sri D.K.Verma, Advocate

For the workman : Sri S.N. Goswami, Advocate

State : Jharkhand Industry : Coal

Dated 24/7/2014

AWARD

By Order No.L-20012/69/2004-IR (CM-I), dated.Nil, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the demand of Hind Mazdoor Kishan Panchayat from the management of Karo OCP of M/s. CCL for promotion of Sri Sonu Ram Mahato, Shoval Operator Grade-II/B w.e.f. 27.7.1988 and Grade-I/A w.e.f. 27.7.89 is legal and justified? If so, to what relief the workman concerned is entitled to?”

2. This Case is received from the Ministry of Labour & Employment on 12.07.2004. After receipt of reference, both parties are noticed. The workman files their written statement on 27.12.2004. The management files their written statement on 31.03.2005. One witness each has been examined from both side.

3. The short point to be decided in this reference is, whether the concerned workman will get promotional scale so also grade at par with his junior Daya Shankar Singh who is in higher in scale than the concerned workman.

4. The case of the workman is that he alongwith Daya Shankar completed training as Shovel Operator and passed the training and Daya Shankar Singh has been given higher grade debarring the present workman.

5. On the other hand the management in his counter submitted that the workman did not file his pass certificate of Shovel Operator for which his case has not been considered.

6. Therefore it is ordered that the workman to file his trainee pass certificate before the authority and the authority after receipt of the same consider and give proper grade to the workman .

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2445.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 53/1992) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/204/1991-आईआर (सी-I)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2445.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 53/1992) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/204/1991-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

In the matter of reference U/S 10 (1) (d) (2A)
of I.D. Act, 1974

Ref. No. 53 of 1992

Employer in relation to the management
of Moonidih Area, M/s. BCCL,

AND

Their workmen.

Present : Sri Ranjan Kumar Saran, Presiding Officer.

Appearances :

For the Employers : None

For the workman : None

State : Jharkhand

Industry : Coal.

Dated 28/07/2014

AWARD

By Order No.L-20012/204/1991-IR (C-I), dated 20/07/1992, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of M/s. Bharat Coking Coal Ltd., Koyla Bhawan, Dhanbad in denying promotion to all the 28 Foremen (Mechanical) as mentioned in the annexure as per their old Seniority and old promotional policy of the above management is justified? If not, to what relief the above workmen are entitled and from what date?”

Sl. No. Name of workman

1. Shri Tripurari Bandopadhyaya
2. Sri S.L.P.Singh.
3. Shri Sarbeswar Banerjee
4. Sri Prasanta Kumar Mitra
5. Shri K. K. Kachahe
6. Sri K.B. Roy
7. Shri Ramesh Pandit
8. Sri S. D. Ram
9. Shri U. S. Singh
10. Shri H. L. Manjhi
11. Shri G. P. Sahay
12. Sri N. K. Prasad
13. Shri Jitendra Kumar
14. Shri Soumitra Bakshi
15. Shri D.K.Chatopadhyay
16. Shri Anil Gorai
17. Shri M.K.Choudhary
18. Sri V.K. Chourasia
19. Sri N. K. Viswakarma
20. Shri B.D. Mishra
21. Shri S.K.Lahira
22. Shri Mahimanand Sharma
23. Shri Mondal Pharindra Chandra
24. Shri Narendra Prasad

25. Sri S. K. Roy
26. Shri T. K. Das
27. Md. Jamil Ahmad
28. Sri Seo Shankar Yadav.

2. After receipt of the reference, parties are noticed, Though they took steps for certain dates, the management and workman examined two evidence each and marked document as exhibits. But subsequently the parties did not appear nor take any interest in the case. It is presumed that the disputes between the parties have resolved in the meantime, Hence No Dispute Award is passed.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2446.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 30/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/223/2004-आईआर (सी-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2446.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 30 of 2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/223/2004-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD.

In the matter of reference U/S 10 (1) (d) (2A)
of I.D. Act. 1974

LOK ADALAT

Ref. No. 30 of 2005

Employers in relation to the management
of Katras Area, M/S BCCL

AND

Their workmen

Present : Sri Ranjan Kumar Saran, Presiding officer

Appearances :

For the Employers : Shri D.K.Verma, Advocate

For the workman : Shri K.N.singh, Rep.

State : Jharkhand

Industry : Coal

Dated. 14/7/2014

AWARD

By Order No.L-20012/223/2004-IR (C-I), dated 31/03/2005, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“ Whether the demand of the Janta Mazdoor Sangh from the management of BCCL Katras Area that Shri Ram Lal , Miner Loader may be regularized as Dresser/Compounder is justified? If so, to what relief is the workman entitled and from what date?

2. The case is received from the Ministry of Labour on 25.04.2005. The workman files their written statement on 13.06.2005. Thereafter the management files their written statement on 14.09.2005, Document and rejoinder is also filed by the workman. Workman examined himself as WW-1.

3. During the pendency of this case the dispute between the parties settled and order of regularization already filed in court. The said copy along with the award is submitted.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2447.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 192/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/147/2001-आईआर (सी-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2447.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 192/2001) of the Cent. Govt. Indus. Tribunal-cum-Labour Court

No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/147/2001-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE No. 192 OF 2001

PARTIES : The Orgn. Secretary,
National Coal Workers Congress,
SE.M. 7/144, Mathigarh,
Dam Colony, PO : Nudkhurkee, Dhanbad

Vs.

General Manager,
Western Jharia Area of M/s. BCCL,
PO : Moonidih, Dhanbad.

Order No. L-20012/147/2001-IR(C-I) dt.10.07.2001

APPEARANCES :

On behalf of the Workman/Union : None

On behalf of the Management : Mr. D. K. Verma,
Ld. Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 30th July, 2014

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/147/2001-IR(C-I) dt.10.07.2001

SCHEDULE

“Whether the action of the Management to dismiss the services of Sri Sheo Prasad Sahu of Lohapatti Colliery under Western Jharia Area w.e.f. 16.3.2000 is justified, legal and proper? If not, to what relief is the concerned workman entitled ?

2. Neither the Representative for the National Coal Workers. SE.M.7/144, Mathigarh, Dam Colony, Nudkhurkee, Dhanbad nor workman Sheo Pd. Sahu appeared despite registered notices as a last chance for his appearance. But Mr. D. K. Verma, Ld. Advocate for the O.P./Management is present. No Management witness for the O.P. at the preliminary point produced.

From the perusal of the case record, It appears neither the Union Representative nor the workman has appeared since 29.7.2013. Both of them by their conduct appear to be uninterested to pursue their case despite the Registered Notices having been issued on 27.5.2013, 26.12.2013 and 28.03.2014.

Under these circumstances, the Reference related to an issue over the dismissal of the workman is closed as ‘No Industrial Dispute’ existent. Accordingly an order of “No Industrial Dispute” is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2448.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 69/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/18/2005-आईआर (सी-I)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2448.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 69/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/18/2005-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO 69 OF 2005

PARTIES : The Working President,
Janta Mazdoor Sangh,
B-25, Murlidih, 20/21 Pits,
PO Mahuda, Dhanbad

Vs.

The General Manager,
W.W.Zone of Mahuda of
M/s. BCCL, PO : Mahuda, Dhanbad.

Order No. L-20012/18/2005-IR(C-I) dt.19.07.2005

APPEARANCES :

On behalf of the Workman/Union : Mr. S. C. Gaur,
Ld. Advocate

On behalf of the Management : Mr. U. N. Lal,
Ld. Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 25th July, 2014

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/18/2005-IR(C-I) dt.19.07.2005

SCHEDULE

“Whether the action of the Management of Moonidih Coal Washery of M/s BCCL in not correcting the date of birth of Sri Naresh Paswan as 15.11.68 instead of 15.5.1955 is justified? If not, to what relief is the concerned workman entitled?”

On receipt of the Order No. L-20012/18/2005-IR(C-I) dt.19.07.2005 of the above mentioned reference from the Government of India, Ministry of Labour & Employment, New Delhi for adjudication of the dispute, the Reference Case No. 69 of 2005 was registered on 19th August, 2005 and accordingly an order to that effect was passed to issue notices through the Registered Posts to the parties concerned, directing them to appear in the Court on the date fixed, and to file their written statements along with the relevant documents. In pursuance of the said order, notices by the Registered Posts were sent to the parties concerned.

Both the parties made their appearances and filed their pleadings and photocopies of their documents. The workman and the O.P./Management through their Lawyers appeared in, and contested the case.

2. The case of petitioner Naresh Paswan as sponsored by the Janta Mazdoor Sangh is that while his appointment as the workman of Moonidih Coal Washery on 23.12.1989, his age was recorded as 15.11.1968 as his date of birth (DoB) in his declaration and Identification in the prescribed proforma of the BCCL, but the Management of the said Washery recorded his date of birth as 15.5.1955 instead of 15.11.1968 in his form ‘B’ Record without any authentic document, though he had submitted his Admit Card and Mark Sheet of Bihar School Examination Board, and the Certificate issued by S.B. High School, Bhaga, Dhanbad for correcting of his DoB as per his application dt.13.07.2004, but the Management as per their letter No.1982 dt.10.08.2004 refused to correct it by not considering his Pan Card and L.I.C. bearing his date of birth as 15.11.1968.

Further, it is alleged that the petitioner Workman was medically examined by the Medical Board on 14.11.1989 before his aforesaid employment, but the age

column of the Form ‘O’ rule 29(F) (2) and 29 (L) of the Medical Report was unfilled by the members of the Medical Board which was treated as “No age assessed afresh”. His service excerpt duly checked and signed by the Personnel Manager of the said Washery and the workman was left blank under its column of date of birth. When the workmen petitioner wanted to fill up his age in the column of it, he was not allowed by the Management to do so. The Management failed to produce any documents concerned related to his Date of Birth 15.5.1955 as recorded in course of the conciliation proceeding as sponsored by the Union before the ALC®, and on its failure resulted in the reference for an adjudication. Due to the wrongly recording of his date of birth by the Management in their record, the workman/petitioner would superannuate on 14.5.2015, 13 years before his actual superannuation on 14.11.2028 at 60 years of his age. The malafide action of the Management of the said washery was illegal, unjustified and unfair labour practice. So the workman petitioner is entitled to correction of his aforesaid age under the provision of I.I. No.76 of the J.B.C.C.I. of the National Coal Wages Board Agreement.

3. The Union concerned in its rejoinder for the petitioner has categorically denied all the allegations of the O.P./Management.

4. On the other hand, categorically denying all the allegations of the workman petitioner, the case of the O.P./Management is that Sri Naresh Paswan was appointed as Auto Fitter Helper w.e.f. 23.12.1989 as per the offer of appointment No.5055 (A) dt.4.9.1989. He was transferred from other unit to Moonidih Coal Washery. As per his L.P.C., Form ‘B’, NEIS etc., his date of birth was recorded as 15.5.1955 which was correct. The Management as per the letter dt.10.8.2004 of the Project Officer, Moonidih Coal Washery had accordingly replied him about his aforesaid date of birth as correct. The action of the Management of the said washery, M/s. BCCL is correct and fair. The claim of the petitioner for rectification of his Date of birth as 15.11.1968 at later stage is neither just nor viable as per policy and decision of the Management.

In the rejoinder, the O.P./Management has specifically alleged that all those documents of the workman concerned are not of the time of his joining the service, were not referred by him at the relevant time, rather, he submitted a copy of the Marks Sheet which was obtained from the Bihar School Examination Board on 14.9.2004. It is not reasonable. The date of his birth as recorded in the Statutory record is to be treated as perfectly in order and it is acceptable to all. Accordingly, the workman would retire at his age of 60 years as per his record and in the Form ‘B’ which is the mother record of the Company.

FINDING WITH REASONS

5. In the instant reference, WWI Naresh Paswan, the workman petitioner himself for the Union concerned, MWI Anna Bhauwra, the Chief Manager (Pers.), Mahuda

Washery Zone, and MW2 Sanjeev Kumar, the Sr. Clerk of the said Washery of the O.P./Management have been respectively examined.

Mr. S.C. Gaur, the Learned Counsel for the petitioner as per his written argument as well submitted that the appointment of the workman to the post of Auto Fitter Helper and his report with a direction to report the G.M., Moonidih Area for his duty as per the appointment Letter dt.4.9.1989 and the Office Order dt.01.1.1990 (Extt.W.1 and 2 respectively) are indisputable; his service particulars including his Date of birth as 15.11.1968 was filed in the Form- B of the Moonidih Project as per the provision u/s 48 of the Mines Act, 1952; on his transfer to Moonidih Coal Washery, the Service Excerpt and Identity Card (Exts. 3 & 6/1 respectively) issued by the Management to him show his Date of Birth as 15.11.1968, but statement of MW2 over the entry of Date of Birth as improper suggests the recording of his Date of Birth was not correct. But the Service Excerpt (Ext.W.3) of the workman refers to the blank against the column no.6 (1) of his Date of Birth. According to Mr. Gaur, the Learned Counsel for the workman, the Management has intentionally not produced the original Form B of the Moonidih Project related to the workman's initial appointment and service particulars including his Date of Birth as 25.11.1968; in such situation, the date of birth recorded in the School Leaving Certificate which is not be altered under any circumstances as per the Mandatory Implementation Instruction No.76 dt.25th April, 1988 of the NCWA- III, so the DoB of the workman as recorded in his Identity Card, his School Leaving Papers & Pan Card (Exts. W.6/1, 4/1 and 6 respectively) is correct, but any other age secretly recorded by the Management can not taken as a certain proof of recording his correct Date of Birth which was willingly done with a view to retire him 13 years prior to actual superannuation; and the action of the Management in not correcting the wrong Date of Birth of the workman is illegal and unjustified, so the workman is entitled to recording his Date of Birth as above as per his document (Ext.W.6/1) in particular.

6. Whereas the contention of Mr.U.N.Lal, Learned Advocate for the OP/Management, as per his written argument as well is that though the Service Excerpt (Ext.M.1) of the workman bears blank against its column No.6 (1) of date of birth just as the Certified Copy of Identity Card under Sl.No. 718 of the Form B, issued on 28.08.1990 (Ext.M.7 with objection) he did not raise any objection and his present Identity Card (Ext.6/1) is dt.11.12.2006 which is quite different. On his transfer to Moonidih in the year 1990 as per his LPC (Ext.M.3) his Form 'B' (Ext.M.2) proves his age as 15.05.1955 against its column No.4 under the signature of the workman as well, and accordingly, the sheet of the date maintained in the NEIS dt.06.05.1994 under the signature of the Personnel Manager of aforesaid Coal Washery (Ext.M.6) shows his aforesaid date of birth. The Project Officer of the Washery as per the letter dt.2.8.2004 to the workman as also the letter dt.8.11.2004 to the

A.L.C.(C), Dhanbad (Exts. M. 4 and 5 respectively) had communicated about the date of birth of the workman as 15.05.1955 as correct, so his prayer for its correction was refused; moreover the statement of MWI Aruna Bhauwra proves no variation in the date of birth of the workman in the statutory records of the Company, so the claim of the workman for correction of his Date of Birth is baseless.

7. Having gone through all the materials as brought by both the portion on the case record, I find that it is the settled law as held by the Hon'ble Supreme Court in the case of Awadh Singh Vs. M/s B.C.C.L. reported in 2005 (3) JWJR.209 (DB) that "There is no dispute that under the Implementation Instruction No.76, the Age determination is to be done at the time of appointment firstly on the basis of Matriculation Certificate, if available. In fact, the said Instruction indicates that in the case of appointees who have passed Matriculation or equivalent examination, the date of birth recorded in the said Certificate shall be treated as correct date of birth and the same cannot be altered under any circumstances.(Para -6)".

But the main decisive factor evolves whether the workman/applicant had submitted his School Certificate even of his failure at the time of his appointment. The answer comes negative as apparent from his documents of Transfer Certificate, photocopy of Bihar School Examination Board and Marks Sheet dt.14.09.2004 (Ext.W.4 series) which were palpably antedatedly obtained much later than his appointment in the year 1989, and his claim for correction of Date of Birth as 15.11.1968 started since 2004. So far as the Identity Card of the workman (Ext.W.6/1) over which he has finally relied is concerned, it also seems evidently tampered with its date, hence it is a concocted one against his original Date of Birth as 15.05.1955 as maintained the statutory records of the O.P./Management.

In result, it is hereby, in the terms of the reference responded and awarded that the action of the Management of Moonidih Coal Washery of M/s BCCL in not correcting the date of birth of Sri Naresh Paswan as 15.11.1968 instead of 15.5.55 is quite legal and justified. The workman concerned is not entitled to any relief whatsoever.

KISHORI RAM, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2449.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 29/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/312/1999-आईआर (सी-I)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2449.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 29/2000) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/312/1999-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 29 OF 2000

PARTIES : Shri Dilip Chakraborty,
Area Secretary,
Bihar Colliery Kamgar Union,
At/PO: Bhowra, Distt; Dhanbad,

Vs.

The Project Officer,
Bhowra (N) Colliery, PO: Bhowra,
Distt. Dhanbad

Ministry's Order No. L-20012/312/99-IR (C-I) dt.28.1.2000

APPEARANCES :

On behalf of the Workman/Union : Mr. S.N. Goswami,
Ld. Advocate

On behalf of the Management : None

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 14th July, 2014

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Ministry's Order No. L-20012/312/99-IR (C-I) dt.28.1.2000.

SCHEDULE

“Whether the action of the Management of Bhowra (N) Colliery of the M/s BCCL in dismissing Sri Hiroo Turi from the services of the company w.e.f. 26.10.1996 is justified? If not, to what reliefs the workman is entitled to?”

On receipt of the Order No. L-20012/312/99-IR(C-I) dt.28.1.2000 of the above mentioned reference from the Government of India, Ministry of Labour & Employment, New Delhi for adjudication of the dispute, the Reference

Case No. 29/2000 was registered on 01.03.2000 and accordingly an order to that effect was passed to issue notices through the Registered Posts to the parties concerned, directing them to appear in the Court on the date fixed, and to file their written statements along with the relevant documents. In pursuance of the said order, notices by the Registered Posts were sent to the parties concerned.

Both the parties made their appearances and filed their pleadings and photocopies of their documents. The Union and the O.P./Management through their Advocates and contested the case, respectively.

2. The case of the sponsoring Bihar Colliery Kamgar Union, Bhowra for workman Hiroo Turi is that he is a permanent employee of Bhowra U.G. Mine Colliery, Bhowra Area No. XI of M/s. BCCL. He has been unblemishedly working as D.C.Loader. Due to his illness of Jaundice, he had been under treatment as being in beyond control circumstances, he could not report his duty w.e.f. 16.3.1996. On his recovery from his ailment, when he submitted his Medical Certificate to report his duty, he was not allowed to join his duty, so he remained idle since then. He was issued the charge sheet dt.21.6.1996 for his unauthorised absence from duty under clause 26.1.1 and 26.1.10 of the Certified Standing Order of M/s BCCL. He submitted his explanation of illness beyond his control, yet the departmental enquiry was hastily and biasedly conducted by the Management without giving his reasonable opportunity for defence against the principle of natural justice, as also no copy of the enquiry proceeding was supplied to him. The report of the Enquiry Officer was perverse, and the order of his dismissal dt.26.10.1996 based on it was disproportionate and not commensurate with the misconduct, so liable to be set aside. He also submitted his appeal to the Management for resumption of his duty, but of no effect. The action of the Management in dismissing the workman is not justified. The workman is entitled to reinstatement in service with full back wages and other consequential benefits.

3. The workman in his rejoinder on his behalf itself has categorically denied the allegations of the O.P./Management, further alleging that the Project Officer is neither the Appointing Authority nor the Disciplinary Authority, so the issuance of the chargesheet and the appointment of the Enquiry Officer are beyond his jurisdiction. Besides, the transfer of the workman from Govindpur Colliery beyond 15 kms. And providing him no House Accommodation even on several requests are against the principle of natural justice.

4. Whereas with specific denials the case of the O.P./Management is that the workman employed as D.C.L. at Bhowra (N), U.G. Mines of BCCL. He was issued the chargesheet dt.21.6.1996 for conduct of unauthorized absence from 14.10.1992 under clauses 26.1.1 and 26.1.10

of the Certified Standing Order of the Company. On finding his reply unsatisfactory, the enquiry was conducted by the Enquiry Officer on the charges against him. The workman participated in the enquiry, and was given full opportunity for his defence. It was fairly held in accordance with principle of natural justice. The Enquiry Office found the charges fully proved against the workman, so he was furnished with the enquiry report. He was dismissed from the services as per the letter dt.25/26.10.1996 with the approval of the competent authority. The workman was a habitual absentee as also his last three year's attendances 146, 44 and 137 days in the years 1993 to 1995 respectively were extremely poor, so the dismissal order of the Management towards the workman is fully justified.

Accordingly as a token of punishment, the workman was converted as "BADLI LOADER" as a minor punishment in place of dismissing from the services, as per the letter No.324 dt.27.3.1993. In the year 1994, he was also suspended from 28.2.1994 to 10.03.1994 as per letter No.59 dt.10.03.94 as a token of punishment for unauthorized absence from duty, for which he had begged his apology. Likewise, he was also suspended from 26.4.1995 to 8.5.1995 for his unauthorized absence as per the letter No.97 dt.8.5.1995. In spite of the lenient views taken by the O.P./Management, the workman did not himself improve, so the Management finally dismissed him from the services of the Company as per the letter No.1432 dt.26.10.1996. It has been prayed for the opportunity to prove the enquiry on merits, in case the enquiry found unfair and improper at the preliminary issue.

FINDING WITH REASONS

5. In the instant reference, at the preliminary issue, the Tribunal as per the Order No. 18 dt. 21.10.2005 has declared the domestic enquiry as fair, proper and according to the principle of natural justice. It result, it came up for hearing the final argument of both the parties on merits.

Mr. S. N. Goswami, Ld. Advocate for the workman as per his written argument as well submits that the workman Hiroo Turi was undoubtedly a permanent employee as D.C. Loader of Bhowra North Colliery of M/s. BCCL; but due to the illness of his jaundice, he could not attend his duty from 16.3.1996 to 28.09.1996 during which he had been under treatment; though the workman had submitted his explanation to the chargesheet on 28th Sept. 1996 (Ext. M.2/1) that due to suffering from jaundice beyond the control of the circumstances he could not report his duty; moreover he used to attend his duty from his village 25 kms. away, as he was not given any quarter for accommodation. Further it is submitted on behalf of the workman despite his satisfactory reply, the Management got the departmental enquiry conducted by the Enquiry Officer hastily within two days; thereafter he was dismissed as per the letter dt.25./26.10.1996 (Ext.M.7) on the basis of the Enquiry Report dt.15.10.1996 (Ext.M.6);

though the workman had also filed an appeal but in vain; his dismissal from the service for merely absentism was quite illegal and harsh for him; moreover, his justified absence does not cause any loss of his lien in employment, as such the action of the Management in dismissing the workman is totally unjustified.

In the instant case neither any authorized Lawyer / Representative appeared on behalf of the O.P./Management for argument on merits.

On perusal and consideration of the materials available on the case records, I find that the workman was already put in 'Badli Roll' in view of his regular absentism from his duty earlier. In the regular case, the workman appears to have justified his absence from his duty due to illness of jaundice which was beyond his control. Under these circumstances, the dismissal of the workman appears to be not only harsh but also disproportionate to nature of his absentism.

Under these circumstances, it is hereby awarded that the action of the Management of Bhowra (North) Colliery of M/s. BCCL in dismissing the workman Hiroo Turi from the services of the Company w.e.f.26.10.1996 is unjustified. It is liable to be set aside. So the workman is entitled to his reinstatement in his service but without back wages.

The O.P./Management is directed to implement the Award within one month from the date of receipt of its copy of the award following its publication in the Gazette of India.

KISHORI RAM, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2450.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 132/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/199/1999-आईआर (सी-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2450.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 132/2001) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. CCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/199/1999-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD****PRESENT :** Shri Kishori Ram, Presiding OfficerIn the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947**REFERENCE NO. 132 OF 2001****PARTIES :** The Area Secretary,
B.C.W.Bihar Colliery Kamgar Union,
PO : Kathara, Dist; Bokaro
Project Officer,
Swang Washery, of M/s. CCL,
PO : Swang, Dist; Bokaro

Order No. L-20012/199/99 C-I dt.8.5.2001

APPEARANCES :On behalf of the workman/Union : Mr. D. Mukherjee,
Ld. AdvocateOn behalf of the Management : Mr. D.K. Verma,
Ld. Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 31st July, 2014.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/199/99C-I dt.8.5.2001

SCHEDULE

“Whether the demand of the Bihar Colliery Kamgar Union from the Management of Swang Washery of M/s. C.C.L. for treating Shri Mithalesh Prasad and 18 others as per the list as regular workmen and for payment of wage as per N.C.W.A. is legal and justified? If so, what relief the concerned workmen are entitled to, and from which date. ?”

On receipt of the Order No. L-20012/199/99C-I dt.8.5.2001 of the above mentioned reference from the Government of India, Ministry of Labour & Employment, New Delhi for adjudication of the dispute, the Reference Case No. 132/2001 of was registered on 30.05.2001 and accordingly an order to that effect was passed to issue notices through the Registered Posts to the parties concerned, directing them to appear in the Court on the date fixed, and to file their written statements along with the relevant documents. In pursuance of the said order, notices by the Registered Posts were sent to the parties concerned.

Both the parties made their appearances and filed their pleadings and photocopies of their documents. The

Union and the O.P./Management contested the case, respectively.

2. The case of workmen Mithalesh Prasad and 18 others as per the list as sponsored by the Bihar Colliery Kamgar Union, Jarandih is that they have been performing the job of repair, changing cleaning of track, maintenance of plant cleaning which are of permanent nature and prohibited category in the Railway Yard of the Swang Colliery since 1990, directly under the control and supervision of the Management, by putting in more than 240 days attendance in each calendar year. The Management supplied all the implements for execution of the job. Since they have been producing goods by their service for the benefit of the Management, they are the employees of the Management for all practical purposes at the payment of wages, much below the rate of NCWA through different intermediaries, which is a legal camouflage, as per all the papers arrangement to conceal the real fact in order to exploit the poor workmen. They several times represented to the Management for regularization and payment of wage as per NCWA, but of no effect. The Union raised the Industrial Dispute before the A.L.C.(C), Hazaribagh, for it, but its failure due to the adamant attitude of the Management. The Government had illegally rejected the reference, but at its challenge by the Union, the Government as per the Order dt.27.3.2001 of the Hon'ble Patna High Court, Ranchi Bench, in the CWJC No.2145/99(R) referred the dispute for an adjudication. The action of the Management in not paying the wages as per the NCWA was illegal, discriminatory, anti labour and vindictive. Thus the demand of the Union for treating the workmen as regular workmen and for payment of wages as per the NCWA is legal and justified.

The Union in its rejoinder has specifically denied all the allegations of the O.P./Management.

3. Whereas challenging the maintainability of the reference, the contra pleaded case of the O.P./Management with categorical denials is that the persons were never employed by the Management or by any contractor in the maintenance job of the Railway track or on Plant cleaning jobs. They never worked in any capacity under the management. They are jobseekers and the Union has enrolled their names to provide them employment through litigation, for which it has made out a false and fabricated case. There is no Employer-Employee relationship between the Management and these persons.

The O.P./Management in their rejoinder has categorically denied all the allegations of the Union/ persons concerned as baseless and false, alleging that Sri Mithalesh Prasad and 18 others never worked on any job of permanent and prohibited categories under the direct control and supervision of the Management, so no question arises over the alleged completion of 240 days attendance in each calendar year nor over the alleged

camouflage of their working through contractors. So the demand of the Union is neither legal nor justified.

4. In this reference, WW1 Sanjay Aggrawal, WW2 Suresh Ravidas, (under Sl.No. 6 & 15 as enlisted respectively) both of the alleged workmen on behalf of the Union concerned, and MWI Chandra Kant Tiwary, the Sr.Manager (Estb & Mech.) at Swang Washery for the O.P./Management have been examined respectively.

Mr. D.Mukherjee, the Learned Advocate as the Secretary of the Union concerned as per his written argument as well has to submit that the workmen have continuously worked in the Railway Track maintenance and cleaning of the Management from 1990 to 2002 until their stopping to work. But the evidence of both WW1 Sanjay Aggrawal and WW2 Suresh Ravidas about their continuous working up to 2002, the year of stopping from working appears to be inadmissible as unpleaded. According to Mr. Mukherjee, for non production of the document called for as per the petition dt.7.11.2003 but WW2 stated it to be dated 17.11.2003, adverse inference should be drawn against the Management as held by the Hon'ble Apex Court in the case of H.D. Singh Vs. Reserve Bank of India reported in AIR 1986(SC)132. But the petition dt.7.11.2003 for calling for documents for the period of 1990 till date from Management appears to be a mere formality, as no relevant documents with the petition rather with the photocopies of Payment Register from 1995-97 filed. Whereas the production of photocopies of the alleged payments (Ext.1 series- Photocopies of Payment Register) for the years 1995-1997 under alleged signature of Labour Officer V.S.Prasad in lack of such basic pleading also appear to be inadmissible as unpleaded, as also for the reason that none of the documents is evidently duly authenticated one of any Contractor or of the Management of the Swang Washery. The evidence of WW2 in para 18 that he did not know any name of the intermediaries through whom their wages were paid. The evident admissions of both workmen witnesses (WW1 & 2) that none of them had got any gate pass or Identity Card for entry into the Coal Washery nor they have any proof of it or any pay slip or any paper to show any Authority's direction for their work, nor any copy of their representation to the Union for sponsorship of it, to establish no employer-employee relationship between both the parties at any time. The positive evidence of the MWI Chandrakant Tiwary, the Asstt.Engineer at the Swang Washery since 1995 is that he did not know of any worker, as they never kept any workman as a regular worker for the maintenance of the Railway Track of the Washery. To him, the Personnel Department keeps the record of the Contractors Dilip Jaina, Nirvoy Pandey, Anup Kumar Ravinder Vikash Parsad and Suraj for maintenance of the Railway Line, but he can not tell their tenure for it.

5. On the other hand, Mr.D.K.Verma, Learned Counsel for the O.P./Management contended that admittedly the

workmen are allegedly contractor's labourer, out of them none of them has any proof of his working at the said colliery, so they are not entitled to any regularization or any relief.

6. Besides, so far as the alleged attendances of the workmen for the years 1995 to 1997 as per the photos of Attendance register (Ext.W.1 series) is concerned, the workmen have no proof of their continuous working for 240 days during a period of twelve calendar months preceding the date with the instance reference - the 4th June, 1999 - as per the provision under Sec. 25 B (2)(a)(ii) of the Industrial Dispute Act, 1947. The workmen have utterly failed to discharge the onus of proof at the points of employer-employee relationship as well as of their requisite continuous working for the said specified period at the relevant time. So the plea of Mr. Mukherjee based on 2011 LLR 1079(SC), Bhilwara Dugh Utpadak Ltd. Vs. Vinod Kumar at their point is untenable.

7. In the backdrop of aforesaid findings, none of the pleas of Mr.Mukherjee, the Learned Advocate cum Union Representative based on the facts (i) Presumption of the evidence of the workmen witnesses in lack of any challenge (AIR 1940(Pat) 683, Karnidan Sarda Vs. Sailaja Kanta Mitra, 1977 Cr. L.J.410, Bal Krishan Vs. State of Delhi and on the point of successful discharge of the onus of proof as per the Ext.W.1 series, 2002 LLR449, M/s. Indian Farmer Fertilizer Co-operative Ltd. vs. Industrial Tribunal No.1, Allah, and 2008 AIR SCW 3996, G.M., ONGC Shilcher Vs. ONGC Contractual Workers Union) is applicable to the instant unproved case.

Under these circumstances, it is, in the terms of the Reference, hereby awarded that the demand of the Bihar Colliery Kamgar Union from the Management of the C.C.L., Swang Washery for treating Sri Mithalesh Prasad and 18 others workers as per the list as regularized workers of the Management, and for giving salary and the benefits as per NCWA is entirely baseless and unjustified. Hence, the aforesaid alleged workers are not entitled to any relief from any time.

KISHORI RAM, Presiding Officer

Annexure

List of the workmen (Ministry's Order No. L-20012/199/99(C-I) dt.8.5.2001)

Sl. No. Name of the workman

1. Umesh Kumar Nishad
2. Tilak Mahato
3. Rameshwar
4. Raghunath Saw
5. Dharmnath Prajapati
6. Sanjay Agarwal
7. Narayan Prasad
8. Bharat Soren

9. Dhanether Prasad
10. Mithalesh Prasad
11. Dearnand Prasad
12. Lal Mohan Prasad
13. Bigon Prajapati
14. Kiran Prajapati
15. Suresh Ravidas
16. Sarro Devi
17. Bhamani Devi
18. Surjmani
19. Nandlal Gope

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2451.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 73/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/12/2000-आईआर (सी-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2451.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 73/2000) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/12/2000-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer.

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act., 1947.

REFERENCE NO 73 OF 2000

PARTIES : Jt. Gen. Secretary,
Janta Sharmik Sangh,
Ena, Islampur, PO: Baghatdih,
Via Jharia, Dhanbad

Vs.

The Gen. Manager,
Kustore Area of M/s BCCL,
PO : Kustore, Dhanbad

Ministry's Order No L-20012/12/2000(C-I) dt. 24.07.2000

APPEARANCES :

On behalf of the workman/Union : None

On behalf of the Management : None

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 30th July, 2014

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/12/2000(C-I) dt. 24.07.2000.

SCHEDULE

“Whether the action of the Management of Borragrah Colliery of Kustore Area of M/s BCCL for dismissal from service of Kartik Yadav, Ex. M. Loader based on impersonation is legal and justified in the eye of Law ? If not, what relief the workman is entitled to?”

On receipt of the Order No. L-20012/12/2000(C-I) dt. 24.07.2000. of the above mentioned reference from the Government of India, Ministry of Labour & Employment, New Delhi for adjudication of the dispute, the Reference Case No. 73-2000 of was registered on 14.08.2000 and accordingly an order to that effect was passed to issue notices through the Registered Posts to the parties concerned, directing them to appear in the Court on the date fixed, and to file their written statements along with the relevant documents. In pursuance of the said order, notices by the Registered Posts were sent to the parties concerned.

Both the parties made their appearances and filed their pleadings and photocopies of their documents. The Union and the O.P./Management contested the case, respectively, but none appeared for final argument.

2. The case of sponsoring Janta Shramik Sangh for workman Kartik Yadav is that he had been continuously working as M/L at Borragharh Colliery under Kustore Area of M/s BCCL since his employment in 1973. He was a regular worker sincerely performing his job for the last 18 years. But the employer charged him for impersonation as per the Standing Order applicable to the Colliery employees. The charges were mechanically enforced by hastily taking the action against him without giving any proper opportunity. In course of the enquiry being conducted by the Enquiry Officer, the charge was read over, but without disclosing any such documents to him. The Advice or order based on the report of Management Witness No. 2 unnecessarily related to workman before the Enquiry Officer. But the Enquiry Officer did not call up the complainant in the enquiry in that regard. Any publication in any Local News Paper is baseless to implicate

the innocent person, depriving him of livelihood. The method was also adopted to threaten the workman to deprive of his opportunity to get jobs. Likewise any report of the Enquiry Officer based on such unfounded information is nothing but a simple victimization. The poor worker is a victim of such improper proposal of action which is unacceptable in law and facts as well. Besides, the workman was not provided any paper by the Enquiry Officer despite his repeated requests, oral and written. So the workman claimed for his reinstatement in his job with full back wages for his idle period is justified.

3. The Union Representative in his rejoinder for the workman has specifically denied all the allegations of the O.P./Management, and stated that the discharge of duty by the Enquiry Officer was not impartial. The Enquiry Officer had no facts available to declare him guilty. The Sanction of the Competent Authority was without application of mind. There was no fraud committed by the workman, as he was the real Kartik Yadav; he was appointed in regular manner under practice in vague. The action of the management towards the workman was due to the rival union and the management jointly to implicate him in the managed case to put him out of his employment.

4. Whereas, categorically denying the allegations of the Union/workman, the case of the O.P./Management in challenge to the maintainability of the reference is that the workman was working as a Miner/Loader at Borrahar Colliery of M/s BCCL. He was chargesheeted by the Competent Authority as per the letter dt. 26.12.1990 for misconduct of impersonating real Kartik Yadav son of Sri Debu Yadav for getting an employment under clause 26.1.11 and 26.1.12 of the Certified Standing Orders of the Company. The reply of the workman was found unsatisfactory, so the Competent Authority was per the letter dt. 9.7.1993 appointed Sri C.N. Singh, the Personnel Manager as the Enquiry Officer, to conduct the domestic enquiry into the matter. The workman fully participated along with his co-worker in the enquiry. The Enquiry Officer found the charges fully established against the workman beyond doubt. So at the sanction of the Competent Authority, the workman was dismissed from his service as per the letter dt. 10.11.1993. The F.I.R. was lodged with the Officer-In-Charge, Borrahar T.O.P., P.S. Jharra on 7.1.1991. The workman never complained of anything against the enquiry held by the Enquiry Officer during its proceeding. The action of the Management for dismissal of the workman for said fraudulent misconduct is legal and justified. The Joint General Secretary of the said Sangh as per letter dt. 08.03.1999 raised the Industrial Dispute before the A.L.C.(C), Dhanbad, after many years. So the reference is not maintainable.

5. The O.P./Management in their rejoinder categorically denying all the allegations of the Union/workman concerned, has further pleaded that the enquiry was

conducted in accordance with the Principles of Natural Justice. Any punishment short of dismissal would have encouraged other to get jobs dubiously in the Company. The O.P./Management has also sought the permission for proof the charge, in case the enquiry found unfair at preliminary issue.

FINDING WITH REASONS

6. In this reference, at the preliminary issue over the enquiry, the Tribunal as per the Order No. 18 dt. 6.12.2005 had already held the domestic enquiry as fair, proper and in accordance with the principles of natural justice. Hence, it came up lately for hearing the final argument of both the parties on merits.

The case has been all along pending for arguments on merits. Despite several times notices have been issued to both the parties, but none appeared, so it was finally reserved for final order.

On perusal of the materials as made available on behalf of the O.P./Management for final consideration on merits, I find that the dismissal of alleged workman Kartik Yadav who had been working as Loader impersonating actual M/Loader Kartik Yadav S/o Debu Yadav at Burrahar Colliery, Bhagora Area- for his misconducts under clauses 26.1.11 and 26.1.12, i.e. of the Certified Standing Orders of the Company as per the dismissal letter dt. 9/10.9.1993 (Ext. M.7) was not only quite proper but also just and proportionate to the grave nature of the said misconducts. The imposter whose real name was Lali Saw S/o Sarda Saw of Vill Kusumhara P.S. Visenikalan Distt: Rohtas (Bihar) must not be free from his criminal liability for his wilful misconducts of criminal offences concerned.

Hence, it is, in the terms of the reference, hereby responded and awarded that the action of the Management of Borrahar Colliery, Kustore Area of M/s BCCL in dismissing the alleged employee Kartik Yadav (Imposter), Ex.M/Loader from the service on the ground of impersonation of real employee Kartik Yadav is quite legally right, proper and justified. The alleged worker is not at all entitled to any relief.

KISHORI RAM, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2014

का.आ. 2452.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 80/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/151/2011-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 1st September, 2014

S.O. 2452.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 80/2012) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 1/9/2014.

[No. L-20012/151/2011-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 80 OF 2012

PARTIES : The Vice President,
Rastriya Colliery Mazdoor Sangh,
Rajendra Path, Dhanbad,
Vs.

The General Manager
Kusunda Area of M/s BCCL,
PO : Kusunda, Dhanbad.

Ministry's Order No. L-20012/151/2011-IR
(CM-I) dt.12.09.2012.

APPEARANCES :

On behalf of the workman/Union : None

On behalf of the Management : Mr. S. N. Ghosh,
Ld. Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 07th July, 2014

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/151/2011-IR (CM-I) dt.12.09.2012.

SCHEDULE

“Whether the action of the Management of Khas Kusunda Colliery of M/s. BCCL in not paying monetary compensation to Smt.Chinta Devi, dependant wife of Late Bindeshwari Singh under the provisions of NCWA is legal and justified? To what relief Smt.Chinta Devi, dependant wife of Late Bindeshwari Singh is entitled?”

2. Neither Union Representative for the Rastriya Colliery Mazdoor Sangh nor petitioner Smt.Chinta Devi, dependant wife of Late Bindeshwari Singh appeared nor

any written statement with any document since long pending has been filed on her behalf. Mr. S.N. Ghosh, the Ld. Advocate for the O.P./Management Kusunda Area is present.

Perused the case record, I find that despite three Regd. Notices dt. 20.12.2012, 08.06.13 and 28.03.2014 have been issued to the Vice President of the Union concerned on his address noted in the Reference itself but neither the Union Representative nor the Petitioner responded to it. The reference case has been all along pending since 01.10.2013 for filing written statement with documents. The Union Representative and the petitioner by their conducts appear to be unwilling or reluctant to proceed with the case. In such circumstances, no Industrial Dispute exists as it stands. Since the case is closed and an order of ‘No Industrial Dispute’ existent is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2453.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 17/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/42/2010-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2453.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 17/2011) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. ECL and their workmen, received by the Central Government on 8/9/2014.

[No. L-20012/42/2010-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of
I.D. Act, 1947

Ref. No. 17 of 2011

Employer in relation to the management
of Mugma Area, M/s ECI

AND

Their workmen

Present : Sri Ranjan Kumar Saran, Presiding Officer

Appearances :

For the Employers : Sri D.K. Verma, Advocate

For the workman : None

State : Jharkhand

Industry : Coal

Dated : 11/8/2014

AWARD

By Order No. L-20012/42/2010-IR (C-I), dated 14/03/2011, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Lakhimata Colliery of M/s. ECL in not regularizing Smt. Sonammuni Modian as CC Maker is fair and justified? To what relief the concerned workman is entitled to?”

2. After receipt of the reference the parties are noticed, Though they took steps for certain dates, subsequently did not appears nor take any interest in the case. It is presumed that the disputes between parties have been resolved in the meantime, Hence No Dispute Award is passed.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2454.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 34/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/05/2010-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2454.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 34/2010) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 8/9/2014.

[No. L-20012/05/2010-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1,
DHANBAD**

In the matter of reference U/S 10 (1) (d) (2A) of I.D. Act, 1947

Ref. No. 34 of 2010 .

Employer in relation to the management of
Kusunda Area, M/s. BCCL

AND

Their workmen

Present : Sri Ranjan Kumar Saran, Presiding Officer

Appearances :

For the Employers : Sri U.N. Lall, Advocate

For the Workman : Sri M. Prasad, Advocate

State : Jharkhand

Industry : Coal

Dated 11/8/2014

AWARD

By Order No. L-20012/05/2010-IR (CM-I), dated 18/05/2010, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Kusunda Colliery of M/s. BCCL in not regularizing Sri Krishna Ram, a Shoval Operator, is legal and justified? What relief the concerned workman is entitled to?”

2. After receipt of the reference the parties are noticed, though they took steps for certain dates. But after that the Sponsoring Union is not taking any interest in the case. Ld. counsel for the workman is also submits that the workman is not taking any interest. It is presumed that the disputes between parties have been resolved in the meantime. Hence, No Dispute Award is passed.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2455.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 14/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/66/2010-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2455.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 14/2011) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. ECL and their workmen, received by the Central Government on 8/9/2014.

[No. L-20012/66/2010-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1,
DHANBAD**

In the matter of reference U/s 10 (1) (d) (2A) of
I.D. Act 1947

Ref. No. 14 of 2011

Employer in relation to the management of
Mugma Area, M/s. ECL

AND

Their workmen

Present : Sri Ranjan Kumar Saran, Presiding Officer**Appearances :**

For the Employers : Sri D.K. Verma, Advocate

For the workman : None

State : Jharkhand

Industry : Coal

Dated : 11/8/2014

AWARD

By Order No. L-20012/66/2010-IR (CM-I), dated 16/03/2011, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Rajapur OCP of M/s. ECL in not regularizing /converting S/Shri Nayan Manjhi, Taru Bouri, Meghnath Bouri, Sri Dipak Bouri and Banshi Bouri from Piece Rate to Time rate is fair and justified? To what relief the concerned workmen are entitled to ?”

2. After receipt of the reference the parties are noticed, Though they took steps for certain dates, subsequently did not appears nor take any interest in the case. It is presumed that the disputes between parties have been resolved in the meantime, Hence No Dispute Award is passed.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2456.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 253/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/70/2000-आईआर (सी-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2456.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 253/2000) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 8/9/2014.

[No. L-20012/70/2000-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
-CUM- LABOUR COURT NO. 1, DHANBAD**

In the matter of reference U/s 10 (1) (d) (2A) of
I.D. Act, 1947

Ref. No. 253 of 2000

Employer in relation to the management
of Koyla Bhawan, M/s. BCCL

AND

Their workmen

Present : Shri Ranjan Kumar Saran, Presiding Officer**Appearances :**

For the Employers : Sri D.K. Verma, Advocate

For the workman : None

For the Impleaded Party : None

State : Jharkhand

Industry : Coal

Dated- 12/8/2014

AWARD

By Order No. L-20012/70/2000-IR (C-I), dated.07/09/2000, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of BCCL Koyla Bhawan in refusing employment to the dependant son of the deceased workman namely Sri Ram Swarup Ram is justified? If not, to what relief the dependant son of the deceased workman is entitled ?”

2. After receipt of the reference the parties are noticed, Though they took steps for certain dates, subsequently did not appears nor take any interest in the case. It is presumed that the disputes between parties have been resolved in the meantime, Hence No Dispute Award is passed.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2457.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 39/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/98/2007-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2457.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 39/2012) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 8/9/2014.

[No. L-20012/98/2007-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1,
DHANBAD**

In the matter of reference U/s 10 (1) (d) (2A) of
I.D. Act, 1947

Ref. No. 39 of 2012

Employer in relation to the management of
Sijua Area, M/s. BCCL

AND

Their workmen

Present : Sri Ranjan Kumar Saran, Presiding Officer

Appearances :

For the Employers : Sri D.K. Verma, Advocate

For the workman : None

State : Jharkhand

Industry : Coal

Dated-20/8/2014

AWARD

By Order No.L-20012/98/2007-IR (CM-I), dated 17/08/2007, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Sendra Bansjora Colliery of M/s. BCCL in denying regularization as cap Lamp Assistant to Shri Arun Rawani General mazdoor (U.G) is justified and legal? If not, to what relief is the concerned workman entitled and from which date ?”

2. After receipt of the reference the parties are noticed, Though they took steps for certain dates, subsequently did not appears nor take any interest in the case. It is presumed that the disputes between parties have been resolved in the meantime, Hence No Dispute Award is passed.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2458.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 21/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/95/2008-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2458.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 21/2009) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 8/9/2014.

[No. L-20012/95/2008-IR (CM-I)]

M. K. SINGH, Section Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM- LABOUR COURT NO. I,
DHANBAD**

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act.1947

Ref. No. 21 of 2009Employer in relation to the management of
Nichtipur Colliery M/s. BCCL,**AND**

Their workmen.

Present : Sri Ranjan Kumar Saran, Presiding Officer**Appearances :**

For the Employers : Sri D.K. Verma, Advocate

For the workman : Sri U.N. Lall, Advocate .

State : Jharkhand

Industry : Coal.

Dated 21/8/2014

AWARD

By Order No.L-20012/95/2008-IR (CM-I), dated 16/02/2009, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“(i) Whether the action of the management of Nichtipur Colliery of M/s. BCCL in Superannuating Smt. Noulash Devi W/Loader w.e.f. 30.06.2005 is justified and legal?(ii) To What relief is the workman concerned entitled ?”

2. After receipt of the reference the parties are noticed, Though they took steps for certain dates, But after that the Sponsoring Union is not taking any interest in the case. Id counsel for the workman is also submits that the workman is not taking any interest. It is presumed that the disputes between parties have been resolved in the meantime, Hence No Dispute Award is passed.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2459.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या

60/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-20012/269/2002-आईआर (सी-I)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2459.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 60/2003) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 8/9/2014.

[No. L-20012/269/2002-IR (C-I)]

M. K. SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.**In the matter of reference U/s 10 (1) (d) (2A) of
I.D.Act. 1947**Ref. No. 60 of 2003**Employer in relation to the management of
Sijua Area M/s. BCCL**AND**

Their workmen

Present : Sri Ranjan Kumar Saran, Presiding Officer.**Appearances :**

For the Employers : Sri D.K. Verma, Advocate

For the workman : Sri B.B. Pandey, Advocate

State : Jharkhand

Industry : Coal

Dated 20/8/2014

AWARD

By Order No.L-20012/269/2002-IR (C-I), dated.08/07/2003, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the demand of RCMS from the management of BCCL, Sijua Area to consider the V.R.S. application of Smt. Shanti Pasin and to provide employment to her son, Sri vivekanand is proper

and justified? If so, to what relief is the concerned workman and her dependent entitled? ”

2. This Case is received from the Ministry of Labour & Employment on 22.07.2003. After receipt of reference, both parties are noticed. The Sponsoring Union files their written statement on 13.05.2010. The management files their written statement on 22.07.2010. One witness has been examined on behalf of the management. No witness has been examined on behalf of the workman but they only marked document as Ext. W-1 to W-4.

3. The short point to be decided in this reference is as per female V.R.S. Scheme. One lady workman applied for V.R.S. and their male child applied for job in the place of the lady workman.

4. The BCCL management did not act on the application of woman workman as a result of which, the lady workman retired, and virtually application for job of her dependent workman refused.

5. When the dispute arose it is argued by the management that there is no provision to give employment to his /her dependent of retired employee under V.R.S. Scheme. But it is submitted by the female workman that as there case was not considered, his children are out of employment since more than 10 years and above.

6. It is also submitted by the workman, that they applied according to scheme below the age of 55, and their claim should have been decided promptly.

7. As per Ext. W-1 the workman filed the petition on 05.10.2000, and in this regard the management also send the reply on 18.11.2000 directing the applicant to file certain documents as per list. But the workman or her dependent did not comply the same.

8. From the document Ext. W-2 it appears that the workman was asked to submit application in proper format alongwith documents enclosed. But the same was not complied by the workman. Hence the management is not obliged to provide job to the dependent of the female workman, since she retired after attending her sixtieth years of service. Therefore the claim of the workman is refused.

9. Considering the facts and circumstance of the case, I hold that the demand of RCMS from the management of BCCL, Sijua Area to consider the V.R.S. application of Smt. Shanti Pasin and to provide employment to her son, Sri vivekanand is not proper and justified. Hence he not entitled to get any relief.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2460.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दक्षिण पूर्व रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 46/06) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-41012/25/1992-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2460.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 46/06) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of South Eastern Railway and their workmen, received by the Central Government on 08/09/2014.

[No. L-41012/25/1992-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/46/06

PRESIDING OFFICER : SHRI R.B. PATLE

Shri Avadhram,
S/o Shri Ramprit, G-Cabin,
Bhilai Charoda BMY,
Bhilai, Distt. Durg

.....Workman

Versus

Divisional Railway Manager,
S.E. Railway,
Bilaspur.

General Manager,
S.E. Railway,
Garden Reach, Kolkata

.....Management

AWARD

Passed on this 30th day of July 2014

1. As per letter dated 29-8-2006 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D. Act, 1947 as per Notification No.L-41012/25/1992-IR(B-I). The dispute under reference relates to:

“Whether the action of the management of South Eastern Railway in terminating the services of Shri Avadhram orally w.e.f. 13-5-90 is legal and justified? If not, to what relief he is entitled to?”

2. After receiving reference, notices were issued to the parties. Workman submitted statement of claim at Page 4/1 to 4/6. Case of workman is that he was employed as Gangman on temporary status vide appointment order dated 2-3-90. After issue of said appointment order, he was engaged as Gangman and continued to work as such in Bilaspur Division of S.E.Railway. That it is surprised without giving order in writing, his services were orally terminated w.e.f. 30-5-90. Prior to his termination, no notice or order was issued to workman. That alongwith him about 150 persons were promoted by Railway Administration. All these persons represented the matter to Railway Administration vide letter dated 3-12-90 through their representative Shri Dilip Kumar. Ist party workman and many other persons were terminated by various orders because the workmen had adopted employment in Railway by producing false documents. It is reiterated that workman was appointed and joined duty on 2-3-90. He completed 120 days service. He attained temporary status provided under Indian Railway Establishment Manual. The casual labour who attained temporary status is entitled to rights and privileges under Sl.No. 2511 of Railway Establishment Manual. Said provision contemplates that all the provisions of the disciplinary and Appeal Rules are applicable to such an employee. The services of workman were terminated on charges of securing employment by producing false documents. Workman can not be terminated without following procedure. He further submits that termination of his service is for alleged misconduct. Therefore it was necessary to conduct enquiry. Issuing showcause notice was mandatory. Termination was not without following principles of natural justice. The termination is violative of mandatory provisions and deserves to be quashed and set-aside. Ist party workman further submits that he is covered as workman under I.D.Act. The termination without conducting enquiry, without giving him opportunity amounts to retrenchment under I.D.Act. Said retrenchment was without giving any retrenchment compensation and therefore void. The termination is arbitrary, illegal and liable to be quashed. Workman further submits that order of removal from service, denying opportunity for defence is violative of Article 311 of the constitution. The termination without giving opportunity of hearing is illegal. The termination of service without opportunity of hearing is nullity. The workman reiterates all those contentions and submits that he may be allowed reinstatement with back wages.

3. IInd party filed Written Statement at page 7/1 to 7/3. All material contentions of workman are denied. IInd party denies that workman was engaged as gangman on daily rated casual basis. It is submitted that there was a condition stipulated in engagement letter dated 14-2-90 that if the working certificate/caste certificate/ service certificate is found false, at any time during engagement,

the workman be terminated without any notice. Therefore workman along with other casual gangman whose certificate was found false were terminated. It is denied that workman completed 120 days and he obtained temporary status. It is submitted that in view of condition mentioned in engagement letter, no notice was required to be issued to the workman for termination of his service. Since the act of workman securing Government service as casual Gangman producing false certificate. Since termination from service is not arbitrary, IInd party submits that workman should prove that the service certificate is bonafide. On all such contentions, IInd party prays for rejection of claim.

4. Workman filed rejoinder at Page 8/1 to 8/2 reiterating its contentions in Statement of claim.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|--|---------------------|
| (i) Whether the action of the management of South Eastern Railway in terminating the services of Shri Avadhram orally w.e.f. 13-5-90 is legal and justified? | In Negative |
| (ii) If not, what relief the workman is entitled to?" | As per final order. |

REASONS

6. The workman submits that he had completed 120 days service as casual labour as per Establishment Manual 2511, he has attended temporary status. The establishment manual 2511 contemplate that all provisions of Disciplinary and Appeal Rules are applicable to such employees. The services of workman were terminated without holding any kind of enquiry is legal. Though time was given to learned counsel for Ist party to produce Railway Establishment Manual 2511, it is not produced for perusal. The pleadings in statement of claim of workman show that he was appointed vide order dated 2-3-90 and terminated on 30-5-90. Thus he hardly worked for 2 months 11 days and not 120 days claimed by workman in his affidavit of evidence. Evidence of workman in para-5 on above point is inconsistent with pleadings and cannot be relied.

7. Workman filed affidavit of his evidence. His affidavit is devoted about raising dispute after filing Writ Petition No. 1573/97 which was transferred to Chattisgarh High Court. Workman has stated that he was employed as gangman on temporary status as per order dated 2-3-90. He continued to work as such in Bilaspur Division. In Para-8 workman submits that there was no need to submit casual card or any other certificate for getting employment as casual labour. Therefore he could not be terminated on said ground. That termination of his service is without

giving opportunity of hearing is illegal. In his cross-examination workman says after two months working in May 1990, he was stopped from working in the department. He knows that department had given letter if any irregularity was found in appointment, the appointment shall stand cancelled. The Writ petition was filed in High Court by Baburao. He was not party. He claims that temporary status was granted to him for the days he was working. He denies that document produced by him was bogus and therefore his services were terminated. From evidence of workman, it is clear that he was appointed as casual gangman on 2-3-90. His services were terminated from 13-5-90. Workman hardly worked for 2 months 11 days.

8. The evidence of management's witness Shri R. Shankaran is on the point that workman was appointed in Railway as per notification in 1990 as casual gangman. The condition was stipulated by management in notification that if at any time it is found that the certificate are false during their engagement the service will be terminated automatically without notice. The department had carried out mass verification of certificates submitted by candidates and on detailed investigation after scrutinizing of records it was found that there were about 150 candidates found false appointees based on fake certificates. Management's witness further said that the administration decided to take stern action with heavy hand not leaving those who are found guilty. However the relevant files and documents were stolen from the office of the Investigating officer Shri Bhaskar Rao by breaking the lock and almirah. Management's witness in his cross-examination says in 1990, he was posted in Garden Reach in Calcutta, S.E.Rly. He was giving evidence as per record, gone through available record. He has seen notification by which workman was appointed. The notification of workman was on casual basis. Advertisement of the post was of casual basis. The advertisement continued clause that past experience if available would be considered. Casual workers are issued certificate of their experience of working in Railway. He claimed ignorance whether any register is maintained for issuing such certificate. The witness said Committee was nominated for verifying genuine of experience certificate. Said Committee was headed by Bhaskar Rao, APO, Bilaspur. He has not seen document about constitution of said committee. The office of Bhaskar Rao was not provided with security. There was Security Guard at entrance of the gate. The witness was unable to tell whether the room of the office of Bhaskar Rao was locked on the day of alleged incident. He admits that about 140 persons including workmen were terminated from service as per record. In para-6 of the affidavit it is stated that documents were taken away breaking lock of Almirah. He claims ignorance whether report of Committee was sent to the workman. He also claims ignorance whether genuine certificate of expenses remained with railway office.

9. Document Exhibit M-1 shows list of casual gangman appointed vide office order dated 14-2-90, 22-2-90 should be discharged with immediate effect as the certificate produced have been found false. The letter speaks that those candidates should not be reengaged. The date of discharge should be intimated to the office. Their names are recorded in blank list register. No AEN/PWI should issue service certificates in favour of these candidates. Workman in his evidence says that production of experience certificate was not necessary for appointment as casual gangman whereas management's witness says that experience certificate was necessary. Workman has not produced appointment order issued by Railway authorities to him. The evidence of workman is not corroborated by document. On the other hand, management has produced document Exhibit M-1. The details of the documents discussed above clearly shows that the experience certificate produced by large number of candidates were found fake on scrutiny. The incident was also reported to police, FIR was lodged. FIR is not proved. Management's witness has stated the material documents were stolen breaking office of Bhaskar Rao, Inspecting Officer. Management's witness is cross-examined in detail. However there is no suggestion of the management's witness that because of theft breaking lock was not submitted. The evidence is tested on probability. The evidence of management's witness is corroborated by document Exhibit M-1. That large number of candidates had submitted experience certificate and such certificates were found fake. The evidence about scrutiny of those documents is not produced on record. Mr. Bhaskar Rao is not examined.

10. Learned counsel for workman submitted written notes of argument and copies of award passed in R/74/09, 53/91 & 139/93 pointing out the view taken by this Tribunal in different cases. Award are not binding but consistency needs to be adopted. In R/74/05, relief to workman Ku. Vidyavwati, the legality of resignation letter was in question. Management had failed to prove that resignation submitted by said workman was legal. From reading of Para-11 of the award it can be seen that only evidence shows that workman was not given any time for reconciliation. She signed on the documents believing that it pertains regularization of her absence and payment of salary. Therefore alleged resignation accepted by management was found not legal. In R/153/91, dispute related to those documents passing 10th standard, HSc Examination by workman. From reading of Para-9 of the award, it can be seen that Principal of Govt. School, Chhappa has reported that workman was not student of said school, the documents were bogus. IInd party produced those documents at Page 12/4, 12/5. Management's witness stated that those documents 12/5 were produced by workman alongwith biodata form. There was no reason for management of IInd party verify

genuineness from Principal Govt. School, Chhappa. The facts of the present case are not comparable. Workman has not produced appointment letter issued to him. To substantiate his contention that submitting experience certificate was not necessary for appointment as casual gangman. If document Exhibit M-1 is considered, it appears that submission of service card was necessary for appointment as casual employee. In award in R/139/93, workman had pleaded that he attained temporary status after completion of 120 days service. That termination of his service was in violation of Section 25-F of I.D.Act. In present case, workman is not alleging violation of Section 25-F of I.D.Act. Despite of pleadings that he acquired temporary status on completion of 120 days working as per Railway Establishment Manual 2511, the rule is not produced. On perusal, pleading of workman itself shows that he was appointed on 3-2-90 and orally terminated on 13-5-90. He worked for 2 months 11 days. Therefore question of violation of Section 25-F of I.D.Act does not arise.

11. Learned counsel for workman Shri A.K. Shashi heavily emphasized that services were terminated on ground that service certificate submitted by workman was found fake. No enquiry was conducted. The termination of his service is stigma on workman. Therefore termination of service of workman is illegal. In support of his argument, learned counsel relies on ratio held in :

Case of Indu Bhushan Dwivedi and State of Jharkhand reported in 2010-SCLJ-416. Above cited case related to appellant joined service as Munsif in 1982, he was promoted as Sub Divisional Judicial Magistrate in 1996. While he was posted as Sub Divisional Judicial Magistrate at Chaibasa, a news item appeared in Dainik Jagran dated 2-7-03 suggesting that the appellant had misbehaved and manhandled an accused, named, Anup Kumar ad constable Sheo Pujan Baitha. On the next day i.e. on 3-7-03, the appellant made a representation to District and Sessions Judge, West Singhbhum at Chaibasa with the request that an inquiry be got conducted into the matter. From reading of para-8 of the judgment it is clear that Enquiry Officer formulated total 5 points for the same of his convenience.

The facts of the present case are not comparable therefore ratio cannot be applied to case at hand.

12. There is serious dispute between parties whether for appointment of casual gangman, submission of experience certificate was necessary, whether it was a condition for re-appointment. If such certificate is found false, fake, bogus, the services of casual gangman so appointed could be automatically terminated. Workman though appointed on 3-2-90, he has not produced the appointment letter. He has not explained reasons for non-production of the appointment letter. On the other hand,

the evidence of management's witness shows that Bhaskar Rao was inspecting gangman for experience certificate and theft of record was committed by breaking lock. The evidence of witness on above point is not shattered in cross-examination. Therefore I find no reason to discuss evidence of management's witness when record is lost, it was the record about verification of experience certificate was lost because of theft. There was condition in appointment order if experience certificate submitted by candidate found false, their services would be terminated automatically without notice it forms the part of service conditions. Management of IInd party has terminated services as per conditions in the appointment order. As workman had worked only for 2 months 11 days, he has not acquired temporary status, it was not necessary to hold DE against workman. On the point, learned counsel for Ist party relies on ratio held in :

Reliance is also placed in case of Bhagwan Singh Rawat versus State of MP reported in 2003(4) M.P.J.T.309. the facts of present case are not comparable as in above cited case allegation against petitioners was of making demand of illegal gratification- removal from the post. Their Lordship held until and unless petitioner is found guilty of demanding illegal gratification and charge is established, the petitioner could not be fastened with penalty of removal without making any enquiry into charge of demand of illegal gratification.

Case of Nepal Singh versus State of UP reported in AIR -1980-SC-1459. Their Lordship held the order terminating the services of temporary Govt. servant and ex facie innocuous in that it does not cast any stigma on the Govt. servant or visits him with penal consequences must be regarded as effecting a termination simpliciter but if it is discovered on the basis of material adduced that although innocent in its terms the order was passed in fact with a view to punishing the Government servant, it is a punitive order which can be passed only after complying with Article 311(2).

Considering the ratio in above cited case and order Exhibit M-1, the IInd party had directed candidates should not be re-engaged in circumstances that their names are recorded in the blank list register. Further FIR with police will be lodged under Section 420 of IPC for cheating and forgery document the candidate and Sr. Subordinates who had issued false certificates. His Lordship considering the petitioner were appointed initially on daily wage basis by order dated 3-6-03 in compliance of his orders, he joined said post. Order of regularizing employees cancelled on 10-6-03. Their Lordship held the right accrued to petitioner when the order was passed on 3-6-03.

The ratio cannot be applied to the case at hand as the facts are not comparable. Workman has not produced appointment letter.

13. Considering the ratio held in AIR-1980 -SC-1459 as workman was not given opportunity of hearing before discharge of his service, the discharge order/ termination is in violation of Article 311 of the constitution and therefore cannot be upheld. For above reasons, I record my finding in Point No.1 in Affirmative.

14. Point No.2- in view of my finding in Point No.1 that termination of workman is not legal, question arises to what relief the workman is entitled? Whether the workman is entitled for reinstatement with back wages. Workman was appointed as casual gangman. He worked for 2 ½ months. His experience certificate was found fake as such his services were terminated. Workman in his evidence on affidavit has not disclosed what work he is doing since termination of his service. Management's witness also not stated whether workman is in gainful employment. Considering the facts and circumstances of case, reinstatement of workman with 25 % back wages would be appropriate. Accordingly I record my finding in Point No.2.

15. In the result, award is passed as under:-

- (1) The action of the management of South Eastern Railway in terminating the services of Shri Avadhran orally w.e.f. 13-5-90 is not legal and proper.
- (2) IInd party is directed to reinstate workman as casual gangman with continuity of service and 25 % back wages.

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9 % interest per annum from the date of award till its realization.

16. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R. B. PATLE, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2461.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार धन लक्ष्मी बैंक लि. के प्रबंधन के संबंध निर्योजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अरुनाकुलम के पंचाट (संदर्भ संख्या 26/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-12012/05/2010-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2461.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 26/2010) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure, in the industrial dispute between the management of Dhanalakshmi Bank Ltd. and their workmen, received by the Central Government on 08/09/2014.

[No. L-12012/05/2010-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri.D.Sreevallabhan, B.Sc., LL.B, Presiding Officer

(Wednesday the 30th day of July, 2014/8th Shravana 1936)

ID No. 26/2010

Workman : Shri Karnal Ranganath
S/o Shri Thevamadathil Anandaraya Iyer
Rappal Desam, Parappukkara Village
Mukundapuram Taluk
Trichur
Kerala State

By Adv. Shri V J James

Management : The Assistant General Manager(HR)
Dhanalakshmi Bank Ltd.
P B No.9, Dhanalakshmi Building
Naickanal
Thrissur (Kerala) - 680001

By M/s.B S Krishnan Associates

This case coming up for final hearing on 24.07.2014 and this Tribunal-cum-Labour Court on 30.07.2014 passed the following:

AWARD

In exercise of the powers conferred by clause (d) of sub-section(I) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India/Ministry of Labour as per Order No-L-12012/05/2010-IR(B-I) dated 12.08.2010 referred the industrial dispute to this tribunal for adjudication.

2. The dispute is:

“Whether the action of the management of Dhanalakshmi Bank Ltd., Thrissur, in dismissing the services of Shri Kamal Ranganath, Clerk, is legal and justified? If not, what relief the concerned workman is entitled to?”

3. After appearance of the parties and submission of pleadings the case was posted for evidence. Evidence was adduced from both sides. Afterwards it was submitted by the learned counsel for both sides that there is chance for settlement and hence the case is to be posted in the Lok Adalath. It was taken up in the Lok Adalath as agreed to by both parties. The matter was settled between the parties by entering into a full and final settlement. They have jointly filed compromise incorporating the terms of the settlement. Hence an award can be passed in terms of the compromise.

4. In the result an award is passed in terms of the compromise which will form the part of the award. The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 30th day of July, 2014.

D. SREEVALLABHAN, Presiding Officer

APPENDIX - NIL

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

ID No. 26/2010

Shri Kamal RanganathWorkman

Vs

Dhanalaxmi Bank Ltd.Management

The matter was taken up in Lok Adalat and the parties agreed to settle the dispute on the following terms:—

1. The management agrees to appoint the workman in service as a fresh clerk. The workman will not be eligible for any back wages or any benefits, what so ever, including gratuity, for his past service with the bank.
2. The workman agrees to the above conditions and undertakes that he will not make any claim, under any circumstances, what so ever, for the back wages, or any benefits for his past service with the bank.
3. The management agrees to issue the order of appointment to the workman, as above, within 30 days from the date of receipt of the copy of the settlement.

Both the parties agree to the above terms and conditions and agree to pass an award in terms of this compromise.

Dated this the 24th day of July, 2014.

Workman : -Sd/-

Management : -Sd/-

Counsel for

Counsel for

Workman: -Sd/-

Management : -Sd/-

-Sd/-

Mediator

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2462.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या 20/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-12011/44/2011-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2462.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 20/2011) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the management of State Bank of Patiala and their workmen, received by the Central Government on 08/09/2014.

[No. L-12011/44/2011-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE SHRI SURENDRA PRAKASH SINGH, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case No. ID 20 of 2011

Reference No. L-12011/44/2011-IR(B-I) dated 25.10.2011

Shri Jarnail Singh

Son of Shri Lekh Ram,

resident of Vill. Chajjumajra,

Post Office Landran,

Teh. Kharar, Punjab

C/o The President,

SC/ST Employees Welfare Association,

Chandigarh Circle (C) House No. 3086/2,

Sector-44-D, Chandigarh.

....Workman

Versus

1. The Chief Manager,
State Bank of Patiala,
PPFG Department,
Head Office, The Mall,
Patiala (Punjab).

...Respondent

Appearances :

For the Workman : None.

For the Management : Sh. N. K. Zakhmi

AWARD**Passed on:-4.8.2014**

Government of India Ministry of Labour vide notification No. L-12011/44/2011-IR(B-I) dated 25.10.2011 has referred the following dispute to this Tribunal for adjudication:

Term of Reference:

“Whether the action of the management of State Bank of Patiala, Patiala in not considering Shri Jarnail Singh, Peon as member of Pension Fund Scheme despite showing him as pension fund optee in his salary slips and not paying him contributory PF till 2009, is legal and justified? To what relief the workman is entitled?”

2. Case called repeatedly. None appeared on behalf of the workman despite appearance on behalf of the workman in the past. None is present to pursue the case of the workman. For Management Sh. N.K. Zakhmi is present. It appears that the workman is not interested to pursue with the present reference. The same is returned to the Central Govt. for want of prosecution. Central Govt. be informed. Soft as well as hard copy be sent to the Central Govt. for publication.

S. P. SINGH, Presiding Officer

Chandigarh
04.08.2014

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2463.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दक्षिण मालाबार ग्रामीण बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अरुनाकुलम के पंचाट (संदर्भ संख्या 11/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-12012/48/2009-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2463.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 11/2010) of the Ernakulam as shown in the Annexure, in the industrial dispute between the management of South Malabar Gramin Bank and their workmen, received by the Central Government on 08/09/2014.

[No. L-12012/48/2009-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ERNAKULAM**

Present : Shri D. SREEVALLABHAN, B.Sc., LL.B,
Presiding Officer

(Tuesday the 22nd day of July, 2014/31st Ashadha, 1936)

ID No. 11/2010

Workman : Shri K Vijayan
S/o Shri K Kannan Krishna,
O.O., 14/653 D, Pantheerankavu P O,
Kozhikode - 19

By M/s. M. R. Singh & Company

Management : The Chairman,
South Malabar Gramin Bank,
Head Office, Post Box No.10,
Malappuram

By Advs. Shri T. R. Ravi & Shri Ashok
B. Shenoy

This case coming up for final hearing on 30.06.2014 and this Tribunal-cum-Labour Court on 22.07.2014 passed the following:

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India/Ministry of Labour vide its Order No. L-12012/48/2009-IR(B-I) dated 07.01.2010 has referred the industrial dispute scheduled therein for adjudication to this tribunal.

2. The dispute is:

‘Whether the action of the management of South Malabar Gramin Bank in imposing the penalty of dismissal from the services w.e.f. 04.04.1996 on Shri Vijayan K is justified? If not, what relief he is entitled to and from which date?’

3. The workman had joined as Clerk in the service of the management bank in the year 1990. He was confirmed in service on 11.02.1991. While he was working in the Kalpatta branch of the management bank he was dismissed from service on 04.04.1996 for habitual absenteeism by invoking the power under Regulation 30(2) of the South Malabar Gramin Bank Staff Service Regulations, 1980. Challenge is made as to the legality and justifiability of the order of dismissal by raising this industrial dispute.

4. The allegations in the claim statement put in by the workman after his appearance in this case, in a nutshell, are that he was effectively and promptly discharging his duties after joining the service of the bank in the year 1990 as Clerk-cum-Cashier and his work was very much

appreciated on many occasions through letters and by issuing certificates. Unfortunately he was bed ridden due to rheumatic arthritis while working in the Kalpatta branch and had to undergo prolonged continuous treatment for a long time. Hence he was unable to attend his official duties and for each and every absence he had submitted application for leave. On 31.01.1995 the Chairman of the South Malabar Gramin Bank, Malappuram issued a show cause notice to him and to which a detailed explanation dated 03.08.1995 was submitted by him through proper channel. Later the Chairman published a notice in Mathrubhumi daily dated 04.04.1996 about his termination from service. The termination notice was issued without conducting any domestic enquiry and without affording opportunity to the workman to defend in utter violation of the principles of natural justice. Workman submitted a representation dated 10.04.1996 to the Chairman and without considering it a letter dated 23.04.1996 was issued advising him to file an appeal to the Board of Directors of the management bank. Thereby he had filed an appeal before the Board of Directors of the bank but it was dismissed. Against the order of dismissal the workman filed OP No.7246/2002 before the Hon'ble High Court of Kerala. It was closed without prejudice to the right of the workman to seek legal redress if any. He has not been gainfully employed since the date of termination and still remains unemployed. He belongs to Schedule Caste and is a member of Valluva community. His family consists of his aged parents suffering from geriatric ailments, his wife and child and an unemployed unmarried sister. All of them are depending on him for their livelihood. His termination from service is illegal and it is only a calculated and pre-planned attempt of the management to drive him out of service for wreaking vengeance. Hence it is prayed to set aside the termination order and direct the management bank to reinstate him in service with full back wages and all service benefits.

5. Management filed written statement challenging the maintainability of the order of reference on the ground that the claim of the workman became stale as there was inordinate delay in raising the industrial dispute. It is contended that he was dismissed from service w.e.f. 04.04.1996 due to his continuous unauthorized absence without prior permission and leave application. After joining service in the year 1990 as probationary junior clerk and confirmation on 11.02.1991 he was working in the Kalpatta Branch of the management bank from 02.01.1992 onwards. While so he was in the habit of unauthorizedly absenting himself from duties and during the period from 17.10.1993 to 23.07.1994 he had absented from duty unauthorizedly on ten occasions. His absence for 162 days during that period was treated as absence without leave on loss of pay by order dated 01.08.1994.

From 07.07.1994 to 06.06.1995 he was continuously absent from duties for 335 days and it was also treated as absence without leave on loss of pay after sending several letters for his non-adherence to leave rules. After the continuous spell of unauthorized absence for 335 days he was again on unauthorized absence without leave and on loss of pay on 14.06.1995, from 21.06.1995 to 25.07.1995, 11.08.1995, 24.08.1995, 11.09.1995, 16.09.1995, 10.11.1995, 14.11.1995, 16.11.1995, 20.11.1995, 23.12.1995, 27.12.1995, 02.01.1996 to 06.01.1996, 11.01.1996, 20.01.1996, 24.01.1996 and 29.01.1996. Thus during the 27 months from 17.10.1993 to 29.01.1996 he was unauthorizedly absent without leave and on loss of pay for a total of 535 days. On 28.02.1994 it was noted in his service records that he had disobeyed orders and directions of the superiors, violated the bank's standing instructions and issued cheques without having sufficient funds in his account in the branch ignoring the instructions of the manager. On that day a chargesheet was issued to him with regard to the issuance of thirteen cheques on different dates without keeping enough funds in his account. All the cheques were returned unpaid and the manager of Kalpatta branch had instructed him on 10.08.1993 to surrender all the unused cheque leaves with him. Ignoring the instruction he had issued five more cheques after the receipt of the letter intimating the instruction. On 23.08.1994 he was issued with a chargesheet for unauthorized absence and for issuance of cheques without sufficient funds. In the letter dated 28.01.1995 addressed to the Manager, Industrial Relations Cell by the Manager, Personal Administration of the management bank for transferring the files relating to his unauthorized absence it was stated that the workman was asked by the Branch Manager in writing to appear before Dr. T. Bhargava, Govt. Civil Surgeon for medical check-up through his letter dated 15.12.1994 but it was returned as unclaimed. It was also stated therein that all the letters sent from the branch in the address given by him were returned as unclaimed. On 31.01.1995 the Chairman of the management bank issued a show cause notice to him detailing the unauthorized absence and stating that it had become impracticable to communicate with him. Since he was habitually absent affecting the discipline he was asked to show cause why he should not be dismissed as per Regulations 30(1) and 30(2) of the Staff Regulations governing him. The show cause notice sent through registered post was returned unclaimed. It could be served in person only on 26.07.1995 when he came to join duty. While so his request for leave from 01.04.1995 to 30.04.1995 sent through registered post was rejected by the bank on 22.04.1995. He had submitted his explanation to the show cause notice on 07.08.1995 stating that he was bed ridden due to rheumatic fever from 17.10.1993 onwards and making request to take a lenient view. He also made request to pardon him for not informing the change of address during

his leave period. While so the enquiry with respect to the chargesheet issued to him on 28.02.1994 was completed and a report was submitted with the finding that the charges are proved. On 10.02.1996 the disciplinary authority issued show cause notice proposing the stoppage of two increments as penalty for the proved charges. He had absconded from 01.02.1996 violating the undertaking in the explanation to the show cause notice that he will not be on unauthorized absence any more. Hence the management decided to dismiss him from service. Since there was no effective method available to serve the order a notice was published in the Mathrubhumi daily on 04.04.1996 about the dismissal. On 10.04.1996 he gave a representation with the prayer that he might not be dismissed and with a request to give him a transfer to Kozhikode stating that the climate at Wyanad was affecting his health. On 23.04.1996 he was informed that he can prefer an appeal if he was aggrieved by the order of dismissal. The order of dismissal was served on him by registered post on 18.04.1996. As per the Regulations the appeal was to be filed within one month from the date of the order but he did not prefer any appeal within that period. While so the management received a letter dated 10.06.1996 from the Thamarassery branch of the Canara Bank, which is the sponsor bank of the management bank, informing that the workman along with his father had availed three gold loans during July and August, 1994 pledging spurious gold ornaments and it was detected on 11.01.1996. On 22.01.1996 the Thamarassery branch of the Canara Bank filed a complaint before the police against him and his father. After preliminary enquiries the spurious gold pledged were taken into custody by the police. It may be the reason for the sudden absconding of the workman from 01.02.1996. Three years after his dismissal he preferred an appeal on 06.04.1999 before the Board of Directors of the management with the prayer to set aside the order of dismissal. The appeal was dismissed on 19.05.1999. Thereafter in February, 2002 he filed Original Petition No.7246/2002(K) before the Hon'ble High Court of Kerala challenging the order of dismissal. The OP was closed on 13.07.2005 allowing the workman to raise an industrial dispute. This industrial dispute was raised after more than 2½ years after the closure of the OP. The industrial dispute was raised with regard to the dismissal of service effected 12 years back and it has become stale. The dismissal of the workman from service on 04.04.1996 is legal, valid and bonafide. The complaint of the workman that the dismissal of his service was effected without conducting a domestic enquiry, without allowing him to defend his position and in violation of the principles of natural justice is untenable and unsustainable. Dismissal was effected duly in terms of Regulation 30(2) of the South Malabar Gramin Bank Staff Service Regulations, 1980 having due regard to the fact that it was impracticable to

communicate with the workman since he was absconding. It is in no way illegal and if for any reason it would be found by this Tribunal that the dismissal was not proper or legal for want of an enquiry the management has to be afforded an opportunity to adduce evidence. The allegations as to illness, submission of leave applications and non-employment are all false. Workman has been gainfully employed ever since the dismissal from service. There is no vengeance for the management towards him. The management has lost confidence in him due to his conduct which is unbecoming of an employee of a banking institution. The antecedents of the workman, the position he held in the bank etc. justifies the dismissal and he does not deserve any leniency. Hence he is not entitled to any relief.

6. Workman filed rejoinder denying the contentions in the written statement and reaffirming the allegations in the claim statement.

7. Evidence, both oral and documentary, was adduced from both sides for the purpose of deciding this reference. For the workman he was examined as WW1 and Exts.W1 to W32 were got marked. The documents produced by the management pursuant to the direction given by this Tribunal on the application of the workman were marked as Exts.M16 series to M53 series. From the side of the management one witness was examined as MW1 and Exts.M1 to M15 were marked. After closing the evidence the arguments for both sides were heard.

8. The points for determination are:-

- (i) Whether the reference is maintainable?
- (ii) Whether the dismissal of the workman from the services of the management bank is legal and proper?
- (iii) Whether the penalty of dismissal imposed on the workman calls for any interference by this Tribunal?
- (iv) To what relief, if any, the workman is entitled to?

9. **Point No. (i) :** Challenge as to the maintainability is made on the ground that the claims became stale due to the inordinate delay in raising this industrial dispute. It is after a period of twelve years after the order of dismissal the dispute was raised by the workman. After taking the decision by the management to dismiss him from service Ext.M6 notice dated 30.03.1996 was sent to him through registered post. It was also published in the Mathrubhumi daily on 04.04.1996. After the dismissal he had given Ext.M8 representation dated 10.04.1996 with the prayer not to proceed with the termination of his service and to permit him to rejoin duty. In reply to it the management issued Ext.M9 letter dated 23.04.1996 informing him that he was dismissed from service w.e.f. 04.04.1996 and advising him

to appeal against the punishment imposed to the Board of Directors of the Bank, if he so desires. Afterwards on 06.04.1999 he preferred an appeal challenging the order of dismissal. Ext.M10 is the appeal petition submitted by him. The appeal was dismissed on 19.05.1999. He was informed about the dismissal of the appeal vide letter dated 27.05.1999 marked as Ext.M11. It was received by him on 15.06.1999 and the same is evidenced by Ext.M12. Afterwards he had filed OP No.7246/2002(K) before the Hon'ble High Court of Kerala challenging the dismissal on 11.02.2002. It was closed without prejudice to the right to seek legal redress, if any as per judgment dated 13.07.2005 copy of which is marked as Ext.M13.

10. Pointing out the delay in filing the appeal, and the OP before the Hon'ble High Court of Kerala as well as the inordinate delay of 12 years in raising the industrial dispute it was argued by the learned counsel for the management that the claim became stale at the time of raising the dispute. It was also submitted by him that the dispute was raised only after 2½ years after the disposal of the above OP.

11. By placing reliance on the decisions reported in *Nedungadi Bank Ltd. Vs. Madhavankutty* AIR 2000 SC 839, *Indian Iron & Steel Co. Ltd. Vs. Prahlad Singh* AIR 2001 SC 69, *Haryana State Coop. Land Development Bank Vs. Neelam* AIR 2005 SC 1843 and *UP State Road Transport Corporation Vs. Ram Singh and Another* 2008 (17) SCC 627 it was argued by him that the delay in raising the dispute in this case disentitles the workman to claim any relief since the dispute has become stale. On the other hand it was argued by the learned counsel for the workman that the provisions of the Limitation Act are not applicable to the proceedings under the Industrial Disputes Act and workman is entitled to relief even if there is delay. Reliance was placed by him on the decision reported in *Ajaib Singh Vs. Sirhind Coop. Marketing cum Processing Service Society* AIR 1999 SC 1351.

12. In the decision referred to by the learned counsel for the workman it was held that Article 137 of the Limitation Act is not applicable to the Industrial Disputes Act and the workman is entitled to relief even if there is delay.

13. In *Nedungadi Bank Ltd. Vs. Madhavankutty* referred to by the learned counsel for the management it was held:

“Law does not prescribe any time limit for the appropriate Government to exercise its powers under S.10 of the Act. It is not that this power can be exercised at any point of time and to revive matters which had since been settled. Power is to be exercised reasonably and in a rational manner. There appears to us to be no rational basis on which the Central Govt. has exercised powers in this case after a lapse of about seven years of order dismissing the respondent from service. At the time reference was

made no industrial dispute existed or could be even said to have been apprehended. A dispute which is stale could not be the subject matter of reference under S.10 of the Act. As to when a dispute can be said to be stale would depend on the facts and circumstances of each case. When the matter has become final, it appears to us to be rather incongruous that the reference be made under S.10 of the Act in the circumstances like the present one. In fact it could be said that there was no dispute pending at the time when the reference in question was made”.

14. In *Indian Iron and Steel Co. Ltd. Vs. Prahlad Singh* it was held that in the case of an industrial dispute raised after thirteen long years of termination of service without reasonable explanation for such delay the Industrial Tribunal can refuse to grant any relief.

15. In *Haryana State Coop. Land Development Bank Vs. Neelam* it was held that the object of imparting social justice to the workman is not to automatically entitle a workman to relief against the employer, irrespective of his conduct and that the aim and object of the Industrial Disputes Act may be to impart social justice to the workman but the same by itself would not mean that irrespective of his conduct a workman would automatically be entitled to relief. The decision of *Ajaib Singh* referred to by the learned counsel for the workman was considered in that decision and it was held that it was rendered in the fact situation obtaining therein and no ratio of universal application can be culled out therefrom after pointing out that the management did not raise any plea of delay in that case.

16. In *UP State Road Transport Corporation Vs. Ram Singh and Another* it was pointed out that it was repeatedly laid down in several decisions that while delay cannot by itself be sufficient reason to reject an industrial dispute, nevertheless the delay cannot be unreasonable and mere fact that the workman was making repeated representations would not justify his raising the issue before the Labour Court after thirteen years.

17. The provisions of the Limitation Act are not applicable to the Industrial Tribunal. There is no prescribed time limit for making reference. But it must be within a reasonable time. There shall not be inordinate delay in raising the industrial dispute by the workman. The industrial dispute must exist at that time. In the above referred decisions it has been categorically held that the raising of the industrial dispute and its reference must be within a reasonable time. It shall not be at any point of time and if otherwise the records pertaining to an employee might have been destroyed and it would be difficult to obtain witnesses who be competent to give evidence so

many years later if the Industrial Tribunal or Labour Court wishes to hold a further enquiry into the matter.

18. Here in this case admittedly the dismissal was on 04.04.1996. The appeal was filed by the workman challenging the dismissal only after three years. After receipt of the copy of the order dismissing the appeal, the OP was filed before the Hon'ble High Court of Kerala after about three years. After the dismissal of the OP on 13.07.2005 leaving him to seek legal redress, if any, the dispute was raised by him only on 09.01.2008. It is about twelve years after the dismissal the industrial dispute was raised by him. There is no satisfactory explanation for the inordinate delay in raising the dispute. It appears that it is because of the lukewarm attitude of the workman that has resulted in the undue delay in raising the dispute. He could have raised the dispute within a reasonable time after the dismissal of the appeal. Instead he had approached the Hon'ble High Court of Kerala after a period of about three years. Even after the disposal of the OP he had not taken care to raise the industrial dispute for more than 2½ years. There is unreasonable and unexplained delay in raising the industrial dispute and hence it can be held that the claim has become stale.

19. **Point No.(ii) :** The validity of the order of dismissal is mainly challenged on the ground that it was imposed without conducting enquiry. Learned counsel for the workman has submitted that it can only be treated as termination from service as there was no enquiry. On the other hand learned counsel for the management has argued that there is no need to conduct an enquiry since the penalty of dismissal was imposed on him by invoking the power invested with the management under clause 30(2) of the South Malabar Gramin Bank (Staff Service Regulations, 1980) governing the service of the workman.

20. Clause 30(1) to (3) of the said Regulations deals with the penalties and the procedure to be followed for the imposition of penalties. It reads thus:

“30(1) Without prejudice to the provisions of other regulations,

an officer or employee who commits a breach of these regulations or who displays negligence, inefficiency or indolence, or who knowingly does anything detrimental to the interests of the Bank or in conflict with its instructions or who commits a breach of discipline or is guilty of any other act of misconduct, shall be liable to the following penalties—

- (a) reprimand;
- (b) delay or stoppage of increments or promotion;

- (c) degradation to a lower post or grade or to a lower stage in his incremental scale;
- (d) recovery from pay of the whole or part of any pecuniary loss caused to the Bank by the officer or employee;
- (e) removal from service which shall not be a disqualification for future employment;
- (f) dismissal.

- (2) No officer or employee shall be subjected to the penalties

referred to in clause (b), (c) (d), (e) or (f) of sub-regulation (1) except by an order in writing signed by the Chairman and no such order shall be passed without the charge being formulated in writing and given to the said officer or employee so that he shall have reasonable opportunity to answer them in writing or in person, as he prefers and in the latter case his defence shall be taken down in writing and read to him:

Provided that the requirements of this sub-regulation may be waived, if the facts on the basis of which action is to be taken have been established in a court of law or court martial, or where the officer or employee has absconded or where it is for any other reason impracticable to communicate with him or where there is difficulty in observing them and the requirements can be waived without injustice to him. In every case where all or any of the requirements of this sub-regulation are waived, the reasons for so doing shall be recorded in writing.

- (3) The inquiry under this regulation and the procedure with the exception of the final order, may be delegated in case the person against whom proceedings are taken is an officer to any officer who is in grade higher than such officer and in the case of an employee to any officer. For purposes of the inquiry, the officer or employee may not engage a legal practitioner”.

21. As per clause 30(2) the penalty of dismissal shall not be imposed without a charge being formulated in writing and given to the employee so as to have reasonable opportunity to answer them in writing, or if in person, his defence shall be taken down in writing and read to him. The proviso further provides that the requirements can be waived in certain circumstances. It can be waived if he has absconded or it is for any other reason impracticable to communicate with him.

22. By placing reliance on the decisions reported in *Syndicate Bank Vs. General Secretary, Syndicate Bank Staff Association* and *Another AIR 2000 SC 2198* and *Regional*

Manager, Bank of Baroda Vs. Anita Nandrajog 2009 (9) SCC 462 it was argued by the learned counsel for the management that it is not necessary to conduct an enquiry if the principles of natural justice are inbuilt in the provisions providing the procedure for termination or for imposition of penalty. In the former decision referred to by him it was held that the requirements of natural justice stood satisfied even without holding a departmental enquiry. The requirements of natural justice are considered in para 16 of the judgment which reads thus :

“Now what are the requirements of principles of natural justice, which are required to be observed? These are:

- (i) A workman should know the nature of the complaint or accusation;
- (ii) An opportunity to state his case; and
- (iii) The management should act in good faith which means that the action of the management should be fair, reasonable and just”.

23. In the latter case the legality of voluntary cessation of service as per clause 17(b) of the Fifth Bipartite Settlement was considered without conducting enquiry and held that the termination is valid even without conducting an enquiry.

24. By placing reliance on the decisions reported in The Workmen of M/s.Firestone Tyre & Rubber Co. of India P. Ltd. Vs. The Management and others AIR 1973 SC 1227 and Gujarat Steel Tubes Ltd. etc. Vs. Gujarat Steel Tubes Mazdoor Sabha and others AIR 1980 SC 1896 it was argued by the learned counsel for the workman that it is obligatory on the part of the employer to conduct an enquiry in the case of imposition of punishment for misconduct.

25. Clause 30(2) of the said Regulations do not expressly provide for the conduct of an enquiry for the imposition of the penalties under sub-clauses (b), (c), (d), (e) or (f) of Clause 30(1) of the said Regulations. What is provided is to formulate a charge in writing and to afford a reasonable opportunity to the workman to answer. It does not mean that no enquiry is to be conducted in all the cases of imposition of penalty. It all depends upon the facts and circumstances of each case. There may be cases when the workman admits the charges levelled against him which does not call for any enquiry. But when there is denial of charges and the supporting allegations, it will become necessary to conduct an enquiry otherwise it cannot be said that reasonable opportunity was given to the workman to state his case and hence there will be violation of the principles of natural justice.

26. It was argued by the learned counsel for the management that the requirements under clause 30(1) is not to be complied with in this case since it was

impracticable to communicate with the workman prior to and after the issuance of Ext.M1, which expressly states the charges levelled against him. It was also argued by him that the workman fully admits the contents of Ext.M1 in Ext.M3 reply given by him and hence it does not invite any enquiry.

27. There are specific allegations in Ext.M1 as to the violation of the provisions of the Regulations by the workman and also as to his misconduct. It is expressly stated there in that it has become impracticable to communicate with him. There are clear allegations as to his habitual absenteeism from duties without obtaining permission from the competent authority. It is expressly stated therein that he had absented from duties for 162 days on ten occasions from 17.10.1993 to 23.07.1994 and afterwards for 61 days from 24.07.1994 to 22.09.1994. There is also specific mention that his absence from 23.09.1994 to 30.11.1994 was treated as absence without leave and his request for leave from 01.12.1994 to 31.01.1995 was rejected. It is also pointed out that the letter dated 15.12.1994 directing him to appear before Dr.T Bhargavan, Civil Surgeon at 4:00 PM on 22.12.1994 for medical examination and several other letters were returned with reason “unclaimed, returned to sender”.

28. Though Ext.M1 is styled as a show-cause notice it would disclose the clear violation of the provisions of the said Regulations as well as the misconduct of the workman. There is no vagueness in the allegations contained in it. Based on the decisions reported in Krishna Chandra Tandon Vs. Union of India AIR1974 SC 1589 and St.Thomas Missions Hospital Vs. State of Kerala & Another 2007 (2) KLT 415 it can very well be held that the charges are made specific without any ambiguity in Ext.M1 and hence it can be accepted as the charges levelled against the workman though not styled as a charge sheet.

29. In Ext.M3 reply the specific allegations in Ext.M1 as to the absenteeism without permission and the impracticability to communicate with him are admitted. He would further admit that there was change of address and seek pardon for his failure to inform it to the management. The reason for absenteeism is stated to be severe attack of rheumatic fever from 17.10.1993 and paralysis for quite a long period. There is also the request for granting eligible leave or leave on loss of pay for the period of his absence in spite of the specific mention of treating his absence from 23.09.1994 to 30.11.1994 as absence without leave and as to the rejection of leave for the period from 01.12.1994 to 31.01.1995 in Ext.M1. There is also the undertaking that he would not absent himself from duty without permission in future.

30. It was impracticable to communicate with him is admitted to by the workman and in such a case the

management can waive the requirements to be complied with as per clause 30(2) of the said regulations.

31. In Ext.M8 letter addressed to the Chairman by the workman pursuant to the receipt of the communication as to his dismissal it is expressly stated that in his explanation dated 07.08.1995 it was submitted by him that he was compelled to enter on leave without prior permission from the competent authority. It is further stated that he could not submit leave application in time as he was under observation and treatment for chronic rheumatic complaints. Therein also he made request for not terminating him after undertaking that there would not be any kind of such misconducts in his future service.

32. As there is express admission of the chronic absenteeism as well as the breach of the provisions of the said Regulations the management can invoke the power under Section 30(2) for the imposition of the penalty without conducting enquiry especially in view of the impracticability to communicate with him.

33. In Himachal Road Transport Corporation and Another Vs. Hukam Chand 2009(11) SCC 222 it was held by the Apex Court that when there is employee's own admission of misconduct enquiry is not necessary.

34. While considering the question of unauthorized absence from duty by the workman it is relevant to go through clause 22(1) and (2) of the said Regulations. It reads thus:-

“22(1) An officer or employee shall not absent himself from his duties without having obtained the permission of the competent authority, nor shall be absent himself in case of sickness or accident without submitting a proper medical certificates.

(2) An officer or employee who absents himself from duty without leave or overstays his leave, except under circumstances beyond his control for which he must tender a satisfactory explanation, shall not be entitled to draw any pay and allowances for the period of such absence or overstayal, and shall further be liable to such disciplinary measure as the competent authority may impose”.

35. It is also necessary to look into the provisions with regard to privilege leave and sick leave. Clause 46 deals with privilege leave and it reads as follows:-

“46(1) Applications for privilege leave shall ordinarily be submitted by the officer or employee at least one month before the date from which leave is required.

(2) Applications which do not satisfy the requirements of sub-regulation (1) may be refused without reason being stated”.

36. Clause 50 dealing with sick leave reads thus :

“50. An officer or employee shall be eligible to 20 days of sick leave for each completed year of service. Such leave can be accumulated up to 180 days and may be availed of only on production of medical certificate by a medical practitioner acceptable to the Bank or, at the Bank's discretion, nominated by it at its cost”.

37. As per clause 17 of the said Regulations every officer or employee of the Bank shall conform to and abide by these regulations and shall observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.

38. In the case of the workman there is the admission as to shifting of residence without informing the bank. As per clause 23 of the said regulations an officer or employee if so required by the competent authority, must not absent himself from his station overnight without obtaining previous sanction from the Chairman if he himself holds the post of a Manager and from the Officer-in-charge or Manager in other cases.

39. Here in this case the failure to conduct enquiry does not affect materially for the above said reasons. Apart from that both workman and management have adduced evidence before this tribunal in support of their respective pleas. It is the case of the workman that he had absented himself from duty from 17.10.1993 continuously on several occasions due to rheumatic arthritis and he had submitted leave applications for his absence during the entire period. Pursuant to the direction given by this Tribunal to the management as per the request made by the workman for production of the leave applications and the medical certificates management has produced all the leave applications and medical certificates and the same were marked as Exts.M16 series to M53 series. There was no request for producing the order granting or rejecting those leave applications. In Exts.M3 and M7 the reason stated for his unauthorized absence is that he was bed ridden due to rheumatic arthritis from 17.10.1993. In the claim statement also there is the specific plea that it is because of rheumatic arthritis he was absenting from duty. He has no case that it was for any other reason he had absented himself from attending duty. But on production of those leave applications it has come out that it was not because of rheumatic arthritis he was absenting from duties. Exts.M16 series to M38 series are the leave applications submitted by him for his absence on several occasions during the period from 17.10.1993 to 31.01.1995. It is with regard to the unauthorized absence during that period Ext.M1 was issued to him to submit his explanation. The

reason stated in any one of those leave applications is not rheumatic arthritis. It is interesting to note that the reason for leave stated in Exts.M19 and M20 for availing leave from 20.12.1993 to 24.12.1993 is Sabarimala pilgrimage. In several leave applications sickness is stated to be the reason for leave. From the medical certificates accompanying with those leave applications it can be seen that he was not undergoing treatment for rheumatic arthritis at that time. During the cross-examination of the workman when examined as WW1 it was stated by him that it was only in the year 1995 he was found to have been affected by rheumatic arthritis. For the purpose of deciding this case it is only to be considered whether he was unauthorisedly absenting himself during the period from 17.10.1993 to 31.01.1995. It was admitted by him during his cross-examination that for his absence for 162 days during the period from October, 1993 to July, 1994 order was issued to him treating those 162 days as absence without leave on loss of pay. It was stated by him that he did not remember whether any appeal was filed or any other step was taken challenging that order. It was admitted by him that leave applications were submitted on several occasions after availing the leave. There is also evidence to prove that there was no leave in his credit at the time of submitting some of the leave applications.

40. In the proof affidavit of MW1 there are specific averments as to his unauthorized absence of 162 days from 17.10.1993 to 23.07.1994 on ten occasions. Further it is averred that it was treated as absence without leave on loss of pay by order dated 01.08.1994. No challenge has been made about it during his cross-examination. There is also the averment in his proof affidavit that from 07.07.1994 to 06.06.1995 the workman was continuously absenting from duties for 335 days and that it was treated as absence without leave on loss of pay after issuing several letters to him for his non-adherence to leave rules. There is no challenge with regard to it during his cross-examination. The averment in the proof affidavit of MW1 that during the period from 17.10.1993 to 10.11.1996 the workman was absent without leave unauthorisedly on loss of pay for a total of 535 days also stands unchallenged during his cross-examination.

41. According to the workman he had submitted leave applications on all the occasions before or after availing the leave. Submission of leave application by itself is not sufficient for availing the leave. In the decision reported in *Delhi Transport Corporation Vs. Sardar Singh* AIR 2004 SC 4161 it was held that when an employee absents himself from duty without sanctioned leave, the authority can come to a conclusion about the employee being habitually negligent in duties and an exhibited lack of interest in the employer's work.

42. The entitlement of an employee is to apply for leave. The grant of leave is a condition for its enjoyment. Leave

not granted cannot be availed and enjoyed. In this case there is sufficient evidence to prove that there was rejection of leave applications submitted by the workman during the relevant period.

43. There is ample evidence in this case to prove that the workman was unauthorisedly absenting himself from duty on several occasions during the period from 17.10.1993 to 31.01.1995. It is also proved that there is clear violation of the provisions contained in the said regulations by him. Taking into consideration of the continuous absence of duty unauthorisedly on several occasions by the workman in between the period from 17.10.1993 to 31.01.1995 without prior permission management has got the right to invoke the power under clause 30(2) of the said regulations to impose the penalty of dismissal.

44. **Point No. (iii) :** Workman was imposed with the penalty of dismissal for his chronic absenteeism without prior permission. It cannot be said to be termination of service coming within the purview of clause 10(2) of the said Regulations. He was absenting himself prior to the issuance of Ext.M1 and also afterwards. Exts.W1 to W24 were produced from the side of the workman to satisfy that his work was very much appreciated during the period from 1990 to 1992. It was argued by the learned counsel for the workman that it also requires consideration in the matter of imposition of penalty. Learned counsel for the management submitted that the workman was imposed with the penalty of barring two increments after conducting an enquiry with regard to the violation of instructions given to him for not issuing cheques without sufficient funds in his account. It was also submitted that he was convicted in a criminal case charged against him for pledging spurious gold ornaments in the Thamarassery branch of the Canara Bank. The barring of increments after conducting enquiry is not disputed by the workman. It was stated by him during his cross-examination that he was acquitted in the criminal case by the Sessions Court, Kozhikode. The penalty imposed by the management is to be interfered with only when it is shockingly disproportionate to the alleged misconduct. Taking into consideration of the entire facts and circumstances there is no reason to interfere with the penalty imposed on the workman. Hence I find that the action of the management of South Malabar Gramin Bank in imposing the penalty of dismissal from the services w.e.f.04.04.1996 on the workman is justified.

45. **Point No.(iv) :** In the result an award is passed holding that the action of the management in imposing the penalty of dismissal on the workman from service is justified. Hence he is not entitled to any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 22nd day of July, 2014.

D. SREEVALLABHAN, Presiding Officer

APPENDIX

Witness for the workman

WW1 07.06.2013 Shri K Vijayan

Witness for the management

MW1 30.12.2013 Shri C G Sethumadhavan

Exhibits for the workman

- W1 - Appreciation letter dated 08.03.1990 issued by the Senior Manager of the management bank to the workman
- W2 - Appreciation letter dated 12.03.1990 issued by the Senior Manager of the management bank to the workman
- W3 - Greeting letter dated 09.03.1990 issued by the General Manager of the management bank to the workman
- W4 - Greeting letter dated 31.03.1990 issued by the General Manager of the management bank to the workman
- W5 - Greeting letter dated 31.05.1990 issued by the General Manager of the management bank to the workman
- W6 - Greeting letter dated 17.07.1990 issued by the General Manager of the management bank to the workman
- W7 - Greeting letter dated 12.09.1990 issued by the General Manager of the management bank to the workman
- W8 - Copy of Circular No.Dev.Cir.155/90-91 dated 07.11.1990 issued by the General Manager of the management bank
- W9 - Letter dated 09.11.1990 addressed to the workman by the Senior Manager of the management bank
- W10 - Greeting letter dated 28.11.1990 issued by the General Manager of the management bank to the workman
- W11 - Copy of Circular No.Dev.Cir.180/90-91:P&D dated 17.12.1990 issued by the General Manager of the management bank

- W12 - Letter dated 19.12.1990 addressed to the workman by the Senior Manager of the management bank
- W13 - Copy of Circular No.Dev.Cir.217/90-91 dated 12.01.1991 issued by the General Manager of the management bank
- W14 - Letter dated 15.01.1991 addressed to the workman by the Senior Manager of the management bank
- W15 - Copy of Circular No.Dev.Cir.245/90-91 dated 04.02.1991 issued by the General Manager of the management bank
- W16 - Greeting Letter dated 26.02.1991 issued by the Senior Manager (Planning & Dev. Section) of the management bank to the workman
- W17 - Greeting Letter dated 28.02.1991 issued by the Senior Manager(Planning & Dev. Section) of the management bank to the workman
- W18 - Greeting Letter dated 01.06.1991 issued by the Senior Manager (Planning & Dev. Section) of the management bank to the workman
- W19 - Invitation letter dated 12.08.1991 addressed to the workman by the Area Manager of the management bank
- W20 - Appreciation letter dated 07.03.1992 issued by the Area Manager of the management bank to the workman
- W21 - True photocopy of Certificate of Merit dated Nil issued by the Chairman of the management bank to the workman
- W22 - True photocopy of Certificate of Merit dated Nil issued by the Chairman of the management bank to the workman
- W23 - Greeting letter dated 09.06.1992 issued by the General Manager of the management bank to the workman
- W24 - Greeting letter dated 31.01.1994 issued by the Area Manager of the management bank to the workman
- W25 - True photocopy of Show Cause Notice dated 31.01.1995 issued by the Chairman of the management bank to the workman
- W26 - True photocopy of reply dated 07.08.1995 submitted by the workman to the Chairman of the management bank

W27	- True photocopy of notice dated 30.03.1996	M12	- Acknowledgment Card dated 02.06.1999
W28	- True photocopy of representation dated 10.04.1996 submitted by the workman to the Chairman of the management bank	M13	- True copy of the Judgment in OP No.7246/2002(K) dated 13.07.2005 of the Hon'ble High Court of Kerala, Ernakulam
W29	- True copy of letter No.9/SMGB/E.149/76/96-97/IR dated 23.04.1996 of the Chairman of the management bank to the workman	M14	- Letter dated 10.06.1996 addressed to the Industrial Relations Cell, South Malabar Gramin Bank, Malappuram by the Manager/Accountant, Thamarassery Branch of the Canara Bank
W30	- True copy of the appeal petition dated 06.04.1999 filed by the workman before the Appellate Authority	M15	- Letter dated 25.07.1996 addressed to the Industrial Relations Cell, South Malabar Gramin Bank, Malappuram by the Accountant/Manager, Thamarassery Branch of the Canara Bank
W31	- True copy of the Judgment dated 13.07.2005 in OP No.7246/2002(K) of the Hon'ble High Court of Kerala, Ernakulam	M16	- Leave application dated 06.11.1993
W32	- True copy of the letter dated 09.01.2008 addressed to the Assistant Labour Commissioner, Kochi by the workman	M16 (a)	- Medical Certificate dated 17.10.1993
Exhibits for the management		M16 (b)	- Fitness Certificate dated 16.11.1993
M1	- Show Cause notice dated 31.01.1995 issued to the workman by the Chairman of the management bank	M17	- Leave application dated 04.12.1993
M2	- True copy of South Malabar Gramin Bank (Staff) Service Regulations 1980 with Amendment Regulations-1982	M18	- Leave application dated 14.12.1993
M3	- Reply dated 07.08.1995 submitted by the workman to the Chairman of the management bank	M19	- Leave application dated 18.12.1993
M4	- Letter dated 03.04.1996 addressed to the workman by the Chairman of the management bank	M-20	- Leave application dated 27.12.1993
M5	- Acknowledgment Card dated 15.04.1996	M-21	- Leave application dated 05.02.1994
M6	- Notice dated 30.03.1996 issued by the Chairman (Disciplinary authority) of the management bank to the workman	M-21 (a)	- Medical Certificate dated 01.02.1994
M7	- Paper publication in the Kozhikode edition of the Mathrubhumi Daily dated 04.04.1996	M-22	- Leave application dated 11.02.1994
M8	- Representation dated 10.04.1996 submitted to the Chairman of the management bank by the workman	M-22 (a)	- Medical Certificate dated 11.02.1994
M9	- Letter No.9/SMGB/E.149/76/96-97/IR dated 23.04.1996 issued by the Chairman (Disciplinary Authority) of the management bank to the workman	M-23	- Leave application dated 21.02.1994
M10	- Appeal petition dated 06.04.1999 filed by the workman before the management bank	M-23 (a)	- Medical Certificate dated 21.02.1994
M11	- Letter dated 27.05.1999 addressed to the workman by the General Manager of the management bank	M-24	- Leave application dated 27.02.1994
		M-24 (a)	- Medical Certificate dated 27.02.1994
		M-25	- Leave application dated 06.03.1994
		M-25 (a)	- Medical Certificate dated 09.03.1994
		M-26	- Leave application dated 01.04.1994
		M-26 (a)	- Medical Certificate dated 01.04.1994
		M-27	- Leave application dated 18.04.1994
		M-27 (a)	- Medical Certificate dated 18.04.1994
		M-27 (b)	- Fitness Certificate dated 01.05.1994
		M-28	- Leave application dated 02.06.1994
		M-28 (a)	- Medical Certificate dated 30.05.1994
		M-28 (b)	- Fitness Certificate dated 02.06.1994
		M-29	- Leave application dated 07.06.1994
		M-29 (a)	- Medical Certificate dated 04.06.1994

M-29 (b) - Fitness Certificate dated 07.06.1994
 M-30 - Leave application dated 23.06.1994
 M-30 (a) - Medical Certificate dated 21.06.1994
 M-30 (b) - Fitness Certificate dated 23.06.1994
 M-31 - Leave application dated 04.07.1994
 M-31 (a) - Medical Certificate dated 27.06.1994
 M-31 (b) - Fitness Certificate dated 03.07.1994
 M-32 - Leave application dated 07.07.1994
 M-32 (a) - Medical Certificate dated 07.07.1994
 M-33 - Leave application dated 12.07.1994
 M-33 (a) - Medical Certificate dated 12.07.1994
 M-34 - Leave application dated 17.07.1994
 M-34 (a) - Medical Certificate dated 17.07.1994
 M-35 - Leave application dated 05.09.1994
 M-35 (a) - Medical Certificate dated 24.07.1994
 M-36 - Leave application dated 23.09.1994
 M-36 (a) - Medical Certificate dated 23.09.1994
 M-37 - Leave application dated 23.10.1994
 M-37 (a) - Medical Certificate dated 23.10.1994
 M-38 - Leave application dated 01.12.1994
 M-38 (a) - Medical Certificate dated 01.12.1994
 M-39 - Leave application dated 01.02.1995
 M-39 (a) - Medical Certificate dated 01.02.1995
 M-40 - Leave application dated 01.04.1995
 M-40 (a) - Medical Certificate dated 01.04.1995
 M-41 - Leave application dated 01.05.1995
 M-41 (a) - Medical Certificate dated 01.05.1995
 M-42 - Leave application dated 07.06.1995
 M-42 (a) - Medical Certificate dated 31.05.1995
 M-42 (b) - Fitness Certificate dated 07.06.1995
 M-43 - Leave application dated 26.07.1995
 M-43 (a) - Medical Certificate dated 21.06.1995
 M-43 (b) - Fitness Certificate dated 26.07.1995
 M-44 - Leave application dated 26.12.1995
 M-44 (a) - Medical Certificate dated 23.12.1995
 M-44 (b) - Fitness Certificate dated 24.12.1995
 M-45 - Leave application dated 28.12.1995
 M-45 (a) - Medical Certificate dated 27.12.1995
 M-45 (b) - Fitness Certificate dated 28.12.1995
 M-46 - Leave application dated 16.01.1996
 M-46 (a) - Medical Certificate dated 11.01.1996

M-46 (b) - Fitness Certificate dated 12.01.1996
 M-47 - Leave application dated 19.01.1996
 M-47 (a) - Medical Certificate dated 17.01.1996
 M-47 (b) - Fitness Certificate dated 19.01.1996
 M-48 - Leave application dated 23.01.1996
 M-48 (a) - Medical Certificate dated 20.01.1996
 M-48 (b) - Fitness Certificate dated 21.01.1996
 M-49 - Leave application dated 25.01.1996
 M-49 (a) - Medical Certificate dated 24.01.1996
 M-49 (b) - Fitness Certificate dated 25.01.1996
 M-50 - Leave application dated 29.01.1996
 M-50 (a) - Medical Certificate dated 29.01.1996
 M-50 (b) - Fitness Certificate dated 30.01.1996
 M-51 - Leave application dated 08.02.1996
 M-51 (a) - Medical Certificate dated 31.01.1996
 M-52 - Leave application dated 02.03.1996
 M-52 (a) - Medical Certificate dated 17.02.1996
 M-53 - Leave application dated 08.01.1996
 M-53 (a) - Medical Certificate dated 02.01.1996
 M-53 (b) - Fitness Certificate dated 07.01.1996

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2464.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इलैक्ट्रिकल लोको सेड गोम पूर्व मध्य रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण धनबाद के पंचाट (संदर्भ संख्या 72/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-41012/1/2006-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2464.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 72/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court NO. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of Electric Loco Shed Gomoh, Eastern Central Railway and their workmen, received by the Central Government on 08/09/2014

[No. L-41012/1/2006-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD.****PRESENT :** Shri Kishori Ram, Presiding Officer.In the matter of an Industrial Dispute under Section 10(1)(d)
of the I.D.Act., 1947.**REFERENCE No. 72 OF 2007****PARTIES :** Sri Gautam Kumar & others
At: Kerktha, PO: Gomoh,
Distt: Dhanbad (Jharkhand)

Vs.

The D.E.E.,
Electric Loco Shed Gomoh,
E.C. Railway, Gomoh,
Dhanbad.

Ministry's Order No. L-41012/1/2006-IR(B-I) dt.11.12.2007

APPEARANCES :On behalf of the workman/Union : Mr. Sumiran Pal
Ld. AdvocateOn behalf of the Management : Mr. M. M. Khan,
Ld. Advocate

State : Jharkhand Industry : Railways

Dated, Dhanbad, the 11th July, 2014

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No.L-41012/1/2006-IR (B-I) dt.11.12.2007.

SCHEDULE

“Whether the engagement of the 24 workers by the Management for maintenance of Locos in, Electric Loco Shed Gomoh, Eastern Central Railway, through contractor for 5 years, which is permanent nature job, their termination, and not providing employment is justified and fair? If not, so what relief Management can provide to them.

On receipt of the Order No. L-41012/1/2006-IR (B-I) dt.11.12.2007 of the above mentioned reference from the Government of India, Ministry of Labour & Employment, New Delhi for adjudication of the dispute, the Reference Case No.72-2007 of was registered on 6.12.2008 and accordingly an order to that effect was passed to issue notices through the Registered Posts to the parties concerned, directing them to appear in the Court on the date fixed, and to file their written statements along with the relevant documents. In pursuance of the said order, notices by the Registered Posts were sent to the parties concerned.

Both the parties made their appearances and filed their pleadings and photocopies of their documents. The Union and the O.P./Management through their Representatives/Advocate, and contested the case, respectively.

2. Irrespective of repetitions and noted rulings, the case of workmen Gautam Kumar & 23 others as stated in their written statement is that they had been continuously performing the work of repair and maintenance, the job pf permanent nature in the twenty two Electric Locos imported from Switzerland in the Loco Shed, Gomoh under the E.C. Rly. under the supervision control of the Rly. Officers from 1996 to Oct./Dec. 2002, after undergoing the special training from ABB Locos. Though their engagement was in a prohibited category of repair and maintenance job under the Contract Labour (Regulation and Abolition) Act, they were issued their Identity Cards by the Loco Shed Officers, namely the Sr.Section Engineer, and over controller of Sr. D.E.E. of the Entire work. for the said jobs for about six years. They have their own year of joining activity undergone and educational qualifications referred respectively against their names of the Annexure-A. The work was within the electric Loco Shed under the E.C. Rly. under a project of the Indian Rly. named “TR GP-140 Locomotive Project. During the warranty period of 5 years, the Swedish Experts were also looking after maintenance of the Locos, thereafter to enable the Indian Rly. E.C. Rly. Staffs to continue their maintenance, the workmen were selected through an agency M/s. Prakash Contractors Pvt. Ltd., and were deputed/engaged to work in the electric Loco Shed under the E.C. Rly., Gomoh. All the workmen's performance of the job was satisfactory to all the concerned. The job done by them was perennial and permanent nature. They were assured of their absorption and regularization. The Rly. Administration was the recipient of the benefits of their services for a considerable period, and they are legally the employees of the E.C. Rly., as they get the benefit of EPF Scheme 1952. In this case the principal employer is the Rly. as real one but not the immediate contractor. But without any chagesheet or any department enquiry, some workmen in Oct., 2002 and some ones in Dec., 2002 were terminated unreasonably. Taking the same job through other Rly. Employees are depriving the workmen of their regularization in the job. Various corrupt and illegal practices of taking the work through outsiders in connivance with the Rly. Authorities concerned are prevailing in the Loco Shed whereas it needs the trained persons like the workmen.

Further alleged by the workmen is that twenty two locos were the property of the Indian Railway, it had the primary responsibility and duty to maintain them. Some Engineers only during the five years' warranty period were deputed by the Company at their cost for their maintenance work. The maintenance and repair of the 22 Locos is a job

of permanent and continuous nature for which the services of the workmen are inevitably required. The Railway Officers/Supervisors are legally responsible for their dereliction in the maintenance of the said imported Locos, if they have not supervised and controlled it. Obviously the working of the workmen for about six years beyond the warranty period clearly establishes a legal relationship between the persons employed to work in an Industry and the owner of it, irrespective of the relationship created by the act of the principal/Master or by that of his authorized agent. Even when a worker is hired in or in respect of the work of an establishment by a contractor for his undertaking to produce a result or for supplies of workmen for any work of the establishment, the factor of the contractor may be a contract of warranty, is a mere camouflage. The workmen are trained and experienced in the work of the Locos, they have no possibility of their any employment anywhere other than the Railways. The satisfaction of the Railway Officers with the repair and maintenance is the prime, but no value of the ABB Company's certification. As the Administration control of Safety and Security of the running of the Locos dependent on their repair and maintenance surely belongs to the Railway Admn. The Sr.D.E.E., E.C.Rly, Gomoh, used to send the workmen to different places: Chittaranjan, Ghaziabad for repair and maintenance of the Locos. The workmen were never made aware of the terms and conditions between the Railway Admn. and the ABB Company, but the Rly. Admn. Is the main beneficiary of their aforesaid services in the maintenance of the Locos directly under all the control of the Railway, their right to their absorption in it cannot be denied under the camouflage of the contractor. Likewise the existence of other trained Supervisor and Staffs under the Rly. Admn. for the maintenance of the Locos can not deprive the workmen of their accrued right to their regularization and absorption.

3. The workmen in their rejoinder have categorically denied all the allegations of the O.P./Management as vague, further stating that at appearance of the 24 workmen with their certificates of trade and qualification in the interview taken by Sri Jitendra Jha, the then Sr. Divisional Electrical Engineer, TS Gomoh Electric Loco Shed, they were selected. At purchase of the ABB Locos by the Indian Railway through Rly. Board from Switzerland under the terms and conditions of 5 years warranty, Sr. D.E.E., Jitendra Ojha, Elct. Engineer U.S.Ojha and Asst. Engineer Ghosh were trained in Switzerland for the maintenance of ABB Locos, and the Engineers had also come from the ABB, they jointly trained the workmen who began to work in the Gomoh Electric Loco Shed under the supervision of the Railway Supervision satisfactory to the Rly. Engineers. There was neither name nor role of any contractor/Agent in that regard performance of the workmen's escorting duty with the highly sophisticated Locos of 3 phase A.C.

from Gomoh to Delhi or from Gomoh to Howrah was an inevitable test to the adaptability of the sophisticated ABB Locos of pressure locomotive engines on the Indian Railway Tracks in the Indian Climatic conditions. They worked under all Sr.D.E.E. Jitendra Jha, Bhardwaj and K.N.Singh. The nature of the job warrants no employment through a contractor. They were paid their salary for their continued service for 7 years from 1996 to 2003. They were recruited as Rly employees but not properly. The gradual picking up of the job by same new hand as existing staff of the Rly. following termination of the qualified trained persons can not deprive the latter workmen of their claim for regularization/absorption.

4. Whereas the contra pled case of the O.P./Management with categorical denials is that the Railway purchased the Locos from Switzerland for their won use in the Train Services for benefit. The Loco shed already furnished with the staff of different category is for the purposes of the Loco maintenance. Some officers and Supervisors were given training for it in Switzerland. Thus, they picked up the maintenance of the ABB Locos in due course. The Engineers arrived from Switzerland were utilizing the persons engaged by the Agent of ABB company under a contract. All the workers performed their duty under the guidance of the ABB Company within the warranty period. It did not come under the purview of the Control Labour Regulation, as the 24 persons engaged by the ABB Company were neither recruited nor discontinued from the services. In the case, the Principal Employer was the ABB Company, not the Rly. The training of the persons under the ABB Company was neither scheduled nor approved by the Railway, so the question of their educational qualification etc or of a project was superfluous and unconcerned with the Rly. Authority. Consequent upon the purchase of 24 ABB Locomotives from the Company concerned of Switzerland, the Officers and the Supervisors were trained in Switzerland for their maintenance, and within the five years period of their warranty, the existing employees of maintenance in the Electric Loco Shed, Gomoh, got experience in it, and began to carry out their maintenance smoothly, following the termination of the warranty period since thereafter, no adverse situation arose any time in maintenance of the ABB locomotives. Since the costly materials are kept outside, the Identity Card was given by the ABB Company Representative which was countersigned by the Rly. Authority to prevent trespassers. So the Identify Cards were issued for safety for Railway properties. On any complain within the warranty period, the Engineers used to come from Switzerland, and rectified the defeats. The said persons were under the control of the ABB Company, the question of assessing their performance was beyond the Railway Authority, as the Engineers were contacted.

5. Further alleged by the O.P./Management that the alleged termination of these persons engaged by the ABB

Company followed the expiry of the five years' warranty period. The Electric Loco shed, Gomoh, has already the staff employed in different categories for the maintenance work. The ABB Company had responsibility for the maintenance of the said Locos for five years as per the terms of the agreement under its warranty, for which expert Engineers engaged from Switzerland were recruited by the Agent. The payment of salary to the persons, their attendances and distribution of jobs were done by the Engineers of the said Company. The EPF was recovered by the Company. Thus the Railway Authorities had neither any part to play nor any involvement anywhere. The services of these persons were taken by the said Company, but not by the Railway, for fulfillment of their agreement for their maintenance job within its warranty period. The Railway Officers or the Supervisors of the Electric Loco Shed had nothing in the supervision responsibility of the Engineers of the Company over the persons engaged by the Company's Agent. There is no question of a camouflage or of any relationship of these persons with the Railway Authority. The Electric Loco Shed is mainly for repair and running maintenance of Electric Locomotives of different classes. The shed has been functioning since much earlier prior to the arrival of the ABB Locomotives, smoothly and efficiently carrying out it through the existing staff of it who are now maintaining the said ABB Locomotives accordingly. The engagement of these persons by the said Company for the warranty period of five years is not a job of prohibiting category. On the requisition of the Engineers of the said Company for sending the persons at different places; Chittarajan, Ghaziabad etc, their identify was only countersigned, but no journey-pass was issued by the Railway to any of them. The running maintenance duly certified by the Expert Engineers was enough to the Railway Authorities, and accordingly, the said Locos were utilized to work on their line. These persons had full knowledge of their engagement at the relevant time for the period of five years Warranty. There was not any representation by these persons to the Rly. Authorities during or after the expiry of the said warranty. It is well known fact even to the persons that naturally trained Supervisors/Officers are employed in the Elect. Loco Shed, Gomoh, mainly for maintenance, overhauling and periodic inspection of the Elect Locos, for which maintenance staff are regularly performing their duties in their maintenance of different categories.

FINDING WITH REASONS

6. In the instant reference, WWI Gautam Kumar and WW2 Md. Manir Ahamad, two of the workers on their affidavited chiefs on their behalf, and MWI Maikal Lakra, the Sr. Section Engineer, Electric Loco Shed, Gomoh for the O.P./Management have been examined respectively.

On careful perusal of the pleadings of both parties, documents relied and the evidence as adduced on behalf of the both parties, it prima facie appears the indisputable fact that the 22 Electric Locos were purchased by the

Railway from the ABB Company Switzerland as per Warranty period of five years since 1996.

At variance with other facts, the vital issues are required to be determined for proper adjudication.

Firstly (i) whether there was expressly or impliedly any employer-employees relationship between both the parties.

At the point, Mr. Sumren Pal, Learned Advocate for the workmen has submitted that in view of prima facie admitted facts- the regularly working of the workmen in repair of the Locos for beyond five years for the benefits of the Loco Gomoh of the Railway and their engagement in the work of perennial nature, the workmen stand entitled to regularization in their work. In support of it, Mr. Pal has further argued that in regard to absorption of Contract Labour by a Public Undertaking on permanent Regular basis, the employees so appointed on permanent basis shall be entitled to get from the dates of their absorption and other benefits as the regular appointed Railway Parcel Parties already getting as held in the case of A.I. Railway Parcel & Goods Porters Union Vs. U.O.I. reported in 106 (2003) Delhi Law Times 604 (SC) para 24 to 23. The ruling relates to 'Abolition of Contract System of Labour : Report of Assistant Labour Commissioner can not be taken as full and complete as to whether petitioner were working continuously and whether job they perform is perennial nature; Petitioners in order to succeed have to substantiate their claim; non-production of evidence in opposition will not support claim of petitioners.

Further Mr. Pal submits that employer's obligation of maintaining a canteen, an establishment of the Principal Employer availed the service of a contractor, the Hon'ble Apex Court has been pleased to hold in the case of Mishra Dhatu Nigam Ltd. Vs. M. Venataiah, reported in 2003 SCC (L & S) 1066 (DB) that contract Labours would indeed be the employees of the Principal Employer, and that such cases do not relate to or depend upon abolition of contract Labour.

Having relied upon the case of Hussainbhai Vs. The Alath Factory Tezhilali Union reported in 1978 LAB I.C. 1264 = AIR 1978 SC 1410, Mr. Pal has emphatically submitted, as held therein, that 'Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another, that other is, in fact, the employer. He had economic control over the workers' substance, skill and continued employment. If he, for any reason, chokes off, the worker is virtually laid off. The presence of intermediate contractors with whom above the workers have immediate or direct relationship ex-contractors of no consequence when on lifting the veil or looking at the conspectus of factors governing employment, It is found, though draped on different perfect paper arrangement that the real employer is the Management, not the immediate contractor

(Paras 5 to 7). Similarly, referring to the case of Indian Petrochemicals Corp. Ltd., Vs. Shramik Sena reported in 1999 LAB I.C. 3078 (SC) A, Mr. Pal has to submit in relation Sections 2(1) and 46 of Factories Act (63 of 1948) as held therein, that workmen working in the statutory canteen were even if employed through contractor are employees of management for purposes of act only. Lastly, the emphatic plea of Mr. Pal, Learned Counsel for the workmen is that where a workman is hired in or in connection with the work of an establishment by the Principal Employer through a contractor, he acts as an agent so there will be a master and servant relationship between the Principal employer and the workman as held in the leading case of Steel Authority of India Ltd. Vs. V.N.U. Water Front Workers reported in 2001 LAB I.C. 3656 (SC)(CB) Para 70 at page 3682. Mr. Pal is of view that in lack of proof or production of any alleged five years' warranty on behalf of the Management, the workmen stand entitled to absorption and regularization in their respective jobs in the terms of the reference.

Whereas M.M. Khan, the Learned Advocate for the O.P./Management has vociferously contended that these 24 workmen are not the employees of the Loco Shed, Gomoh, the E.C. Railway, rather they were engaged by the Company ABB of Switzerland under warranty for five years, after the expiry of it, the said company did not engage them; though they were under their Identity Cards by the Management, only for their entry into the Loco Shed, Gomoh for limited years during the five years warranty; since these 24 workers were never engaged by the O.P./Management, they neither were nor are the employees of the Railways so in such situation, no question of their alleged termination arises, as there was no employer-employee relationship between the Railway and the workers.

7. On perusal of the materials, oral and documentary of the workmen, and of the O.P./Management, I find the facts as under:

Only six Identity Cards (all dt. 25.7 -year ineligible) of Messrs. Sujay Kumar Dutta, Seva Chand Mahato, Gautam Kumar, Dhaneshwar Kumar Mahato, Bapi Das, Rajesh Pd, (Extt. W 1 series), and the photocopy of the I.D. of Mr. Dev Narayan Paswan (Marked X for identification) clearly corroborate their status not as the employees of the Railway, rather they were candidates for the post of Bombardier Transportation (Ltd.) against RRS/GMO on terms of "For self Identification valid up to June, 2003, and on sponsorship of the aforesaid Transport Ltd. the I.D. Cards appear to be issued under the signatures of Sr. Section Engineer Rasid Khan.

Six Spl. Day Permits dt. 7.12.1999, 6.12.1999, 24.10.2003, 5.02.2002, 20.11.1999 & 23.10.2003 (Extt. W.2 series) issued by Shri Bose, C.E.E., Chitrangan Loco Motive to Messrs, D. Mahato, S. Dutta, S. Ram, P. Sengupta, Sunjuy

Dutta, S. Dutta. B. Das & S. Ram of M/s. AD TRANZ, BTIL & Bombardier concerned respectively for one and two days respectively for entry only.

Three Certifying letters dt. 25.1.2002, 1.3.2002 & 14.02.2002 (Extt. 3 series) issued by S.E.E. C.L.W. Chitrangan to Messrs Sujay Dutta, Sujay Kr. Dutta and Mr. Bapi Das as the employees of aforesaid M/s. Bombardier Transportation India Ltd., Gomoh, for carrying a few specified tools of Railway to Machinocraft, Post: Makesh, Distt : Hooghly, Kolkata and M/s. Chittarangan, Locomotives Works, Chittaranganj respectively. These Certificates prove the status of aforesaid three workers only as carrier workers of said Bombarier Transportation India Ltd.

The Seven Bank Account Pass Books of Sujay Kr. Dutta twice, Daneshwar Kr. Mahato, thrice, Md. Manir Ahmad, Rajesh Kumar and Seva Chand Mahato respectively are their own Pass Books of Allahabad Bank, Gomoh, marked as Extt. 4 series with objection.

The Provident Fund Slips of only two workers Seva Chandra Mahato and Sujay Jr. Dutta issued by the P.F. Commissioner, Haryana- Extt. W5 and 6 series respectively, prove their EPF deductions were done by their M/s. Prakash Contractors who had issued the Experience Certificates all dt. 31.10.2002 to only five workers Dhaneshwar Kr. Mahato, Rajesh Pd, Dev Narayan Paswan, Seva Chand Mahato and Bapi Das under IR GP-GP-140 Locomotive Project (Extt. W.7 Series). It is an acknowledged fact that any Project is not of perennial, but for time limit just the warranty period in connection with the purchase of the 22 Electric Locomotives by the Rly./ Board concerned in the case.

All the aforesaid documents of the workmen incontrovertibly set up that they were out and out outside workers for their M/s. Bombardier or M/s. Prakash Contractors. But they have though not any such pleading, yet produced their aforesaid unpleaded evidences which stand quite inadmissible in the eye of Law. Hence, it stands evident that there was never any relationship of employer-employee between both the parties. In such situations the argument of Mr. Pal appears to be based on false reasonings, as none of the said rulings holds good with the facts of the case under adjudication.

(ii) Whether these workers are entitled to any relief of employment or regularization.

It stands essential to respond that where no employer-employee relationship existed between both the parties for a moment, there can never be any engagement of the workers by the management as meant by them in the schedule to the reference. Likewise in lack of their any engagement, there can never be any termination of any of the workers by the Railway.

In result, it is, in the terms of the reference, hereby awarded that in view of the aforesaid findings, there was neither engagement of the 24 workers by the Management for maintenance of Locos in Electric Loco Shed, Gomoh, Eastern Central Railway, through any contractor for five years nor their any termination nor there was any occasion for the management to deny their employment, because the tricky schedule to the reference itself is quite illegal and unjustified. Therefore, no Management can provide any relief to them, as their allegations to that effect are totally conceived and baseless.

KISHORI RAM, Presiding Officer

List of the workmen

Sl. No.	Name
1.	Gautam Kumar
2.	Suman Banik
3.	S.M.Saqui
4.	Puran Singh Satwal
5.	Sujay Kumar Dutta
6.	Bapi Das
7.	Sujeet Kumar Yadav
8.	Dhaneswar Kr., Mahato
9.	Imtiyaz Ahamed
10.	Rajesh Kumar Mahato
11.	Deepak Sarkar
12.	Rajesh Prasad
13.	Seva Chand Mahato
14.	Dev Narayan Paswan
15.	Binod Kumar Pandey
16.	A.H.A. Ansari
17.	Biman Kumar Bhowmick
18.	Sudama Ram
19.	Manoj Kumar
20.	Md. Manir Ahmed
21.	Sauman Kr. Moulik
22.	Rakesh Ram
23.	Sanjay Kumar
24.	Madan Kumar Ram

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2465.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 25/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-12012/108/2012-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2465.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 25/2013) of the Cent.Govt.Indus.Tribunal-cum-Labour Court, Chennai as shown in the Annexure, in the industrial dispute between the management of M/s. Lakshmi Vilas Bank Ltd. and their workmen, received by the Central Government on 08/09/2014.

[No. L-12012/08/2012-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHENNAI

Wednesday, the 20th August, 2014

Present : K. P. PRASANNA KUMARI, Presiding Officer

Industrial Dispute No. 25/2013

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), between the Management of Lakshmi Vilas Bank and their workman)

BETWEEN

Sri J. Vijayasekhar : 1st Party/Petitioner

AND

M/s. Lakshmi Vilas Bank Ltd. : 2nd Party/Respondent
Administrative Office
Karur-639006

Appearance:

For the 1st Party/Petitioner : M/s. J. Muthukumaran,
Advocate

For the 2nd Party/Respondent : M/s. T.S. Gopalan & Co.,
Advocates

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-12012/108/2012-IR(B-I) dated 21.02.2013 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

“Whether the action of the management of Lakshmi Vilas Bank Ltd. imposing termination of service on Sri J. Vijayasekhar is justified or not? If not to what relief the workman is entitled to?”

2. On receipt of the Industrial Dispute this Tribunal has numbered it as ID 25/2013 and issued notices to both sides. Both sides have entered appearance through their counsel and filed their claim and counter statement respectively.

3. The averments in the Claim Statement filed by the petitioner in brief are these:

The petitioner was appointed as Sub-Staff in Respondent Bank on 25.02.1991. In 2005 the petitioner was promoted as Clerk. While the petitioner was serving at Rajahmundry Branch, the Respondent issued a Charge Memo to him alleging that the provisional certificate and mark-list submitted by the petitioner are fake and this was done with the intension to cheat the bank and thereby the petitioner had committed gross-misconduct under Clause-5M of the Bipartite Settlement. The petitioner has submitted explanation to the Charge Memo. The Respondent ordered enquiry and appointed Enquiry Officer. The Enquiry Officer submitted his report that the charge against the petitioner is proved. After hearing the petitioner, the respondent imposed the punishment of discharge from service with superannuation benefits on the petitioner. The charge framed against the petitioner is baseless. The Respondent has not proved that the certificate and the mark-list submitted by the petitioner are bogus. An award may be passed holding that the action of the management in terminating the service of the petitioner is unjustified and also directing the Respondent to reinstate the petitioner with full back wages, continuity of service and other attendant benefits.

4. The Respondent has filed Counter Statement contending as follows:

In the year 2002, on the basis of representation of Sub-Staff who have acquired the degree of graduation, the Respondent Bank had introduced two channels of promotion from Sub-Staff to Clerk, one general channel of seniority-cum-merit and the other graduates automatic eligibility for promotion. Sometime in the year 2002, the bank received information that some of the Sub-Staff who were promoted as Clerks had produced false degree certificates. On seeking confirmation from the concerned universities it came to light that in a few cases Sub-Staff had secured promotion by producing false degree certificates. The petitioner was one such candidate who had produced false certificate for getting promotion from Sub-Staff to Clerical Staff. The petitioner had reported on 17.09.2005 that he had completed BA Degree Examination from Andhra University and had produced provisional certificate alongwith statement of marks for having undergone the Graduation course and obtained the Degree Certificate. On verification with the School of Distance Education, Andhra University, the Assistant Registrar sent reply stating that Provisional Certificate and Mark-lists produced by the petitioner are fake. On the basis of this charge sheet was issued to the petitioner charging him with the misconduct of production of false certificate for getting promotion. As the explanation given by the petitioner was not convincing, an enquiry was conducted and the Enquiry Officer had submitted report holding that

charge against the petitioner was proved. After personal hearing of the petitioner, the Disciplinary Authority awarded the punishment. The petitioner has committed very serious misconduct by which he has forfeited the confidence of the bank. The punishment awarded to the petitioner cannot be said to be harsh. The petitioner is not entitled to any relief.

5. The evidence in the case consists of oral evidence of WW1 and MW1 and documents marked as Ext. W1 to Ext. W16 on the petitioner's side and Ext.M1 to Ext. M32 on the Respondent's side.

6. The points for consideration are:

- (i) Whether the action of the management in imposing the punishment of termination from service on the petitioner is legal and justified?
- (ii) What is the relief, if any, to which the petitioner is entitled?

The Points

7. The petitioner had allegedly produced bogus provisional degree certificate and mark-list for obtaining promotion from the post of Sub-Staff to that of Clerk at the Respondent Bank. As per the Bipartite Settlement, Sub-Staff who had acquired Degree were entitled to automatic promotion as Clerk. The petitioner is said to have submitted provisional certificate and mark-list to the Respondent on the basis of which he was given promotion. In view of certain anonymous letters received at the Bank informing that some of the Sub-Staff who were promoted had produced bogus certificates, the Bank had written to the concerned Universities including the University of Andhra Pradesh from where the petitioner had allegedly obtained the Degree. The Assistant Registrar of the University is said to have written to the Respondent informing that the Provisional Certificate and the Certificates produced by the petitioner are fake. It was on the basis of this departmental enquiry was initiated against the petitioner in which he was found guilty and was removed from service with superannuation benefits.

8. Except for the contention that the Respondent did not prove the charges against the petitioner as per law, there is no case for the petitioner that the domestic enquiry conducted by the Respondent is not in a fair and proper manner. In spite of this, the petitioner has adduced evidence before this Court to prove certain documents. One witness has been examined on the side of the Respondent also.

9. In the domestic enquiry, the Management has examined three witnesses. The provisional certificates and three mark-lists submitted by the petitioner to the Bank were marked in the enquiry proceedings. The witnesses examined are all bank officials. The witnesses examined before this Tribunal by the Respondent also is an official

of the bank, the one who was working as Branch Manager at Rajahmundry where the petitioner had worked. He has stated that all the correspondence between the petitioner and the Bank were done through him. This witness is a witness to the enquiry proceedings also.

10. The Enquiry Officer had relied upon the letter said to have been written by the University informing that the provisional certificate and the mark-lists sent to it as issued to the petitioner are bogus. The argument that has been advanced on behalf of the Counsel for the Petitioner is that the Management having advanced the case that the documents produced by the petitioner are bogus, it was for the Management to prove that the certificate and the mark-list are bogus. According to the counsel in the absence of evidence of concerned persons from the University there is no proof available to show that the documents are bogus. Thus according to him, the Enquiry Officer has entered a finding against the petitioner in the absence of any evidence.

11. The counsel for the Respondent has referred to the documents produced and the various communications from the University to show that actually the petitioner had not obtained a Degree from the University but he had produced bogus documents to obtain promotion. Ex.M3 is the Provisional Certificate and Ext.M4 to Ext.M6 are the mark lists produced by the petitioner before the Respondent. Ext.M7 is the letter written by the Bank to the Controller of Examinations of Andhra University requesting to confirm having issued the Ext.M3 Certificate and Ext.M4 to Ext.M6, the mark-lists. Ex.M14 is the reply submitted by the Assistant Registrar of School of Distance Education, Andhra Pradesh informing that the provisional certificate and the mark-lists issued to the petitioner were verified and were found not genuine and fake. There is another such letter from Assistant Registrar for Examinations and marked as Ext.M15 also. It seems the Respondent has made efforts to get the Officers of the University who sent Ext.M14 and Ext.M15 but they were not available and were not examined in the enquiry proceedings.

12. It was on the basis of non-examination of above witnesses it has been contended by the counsel for the petitioner that there is no proof available to show that the documents are not genuine. According to him, on the basis of letters said to have been written by the authorities of the University, without examining them, the Enquiry Officer should not have entered a finding that the documents are not genuine.

13. The Counsel for the Respondent has referred to the explanation submitted by the petitioner and marked as Ext.W3. In this explanation the petitioner has taken a stand that he has taken coaching and guidance from a local educational institute and has appeared for BA Degree

examination. According to him, the Administrator of the local institute had managed to procure fake certificates and had given them to him. Believing them on the face and also due to the fact that he has appeared for BA Examinations, he has forwarded the certificates to the Respondent. He has requested the Respondent not to act on the certificates and to pardon him. He has further stated that he is withdrawing his letter dated 17.09.2005 (Ext.M2) seeking promotion along with its enclosures.

14. No doubt the Respondent should have examined the concerned authorities of School of Distance Education, University of Andhra Pradesh to prove that the documents submitted by the petitioner are fake. However, the very admission made by the petitioner in Ext.W3 would show that the documents are fake. He had stated in his explanation that the Administrator “appeared to have managed to procure fake certificates”. From the wording in the explanation it is very clear that the petitioner has accepted the fact that the documents are fake. It is for this reason, he has requested to withdraw his letter seeking promotion along with its enclosures i.e. the certificate and the mark-lists.

15. Ex.W8 is the appeal submitted to the Appellate Authority. In this also the petitioner has stated that he has received the provisional certificates and mark sheet through courier and the cover appeared to have been posted at Visakhapatnam which is the Headquarters of the University and he had no knowledge that they are not genuine. He has further stated that only from the Charge Sheet issued to him he came to know of the fact. He has further stated that he had enquired with the Administrator of the Tutorial College where he took the coaching and came to know that the Administrator had stage managed the fake certificates and withheld his original mark sheets where he had failed in two subjects. He had also stated that when he came to know about the truth of the certificate he withdrew his letter seeking promotion and sought unconditional apology from the Bank. Thus there is the admission by the petitioner during the enquiry proceedings and during the proceedings in appeal that the certificates and the mark list are fake, though he had contended that at the time when he presented them to the Respondent he had no knowledge that they are fake. In the wake of these admissions on behalf of the petitioner I do not think the failure of the Respondent to examine the authorities concerned to prove the genuineness or not of the documents are of any consequence. The very admission of the petitioner would show that the documents are fake.

16. An employee working as Sub-Staff is entitled to automatic promotion as per the Bipartite Settlement only if he has obtained a degree. The petitioner having failed to acquire the necessary qualification, he cannot work in the Clerical Cadre with the Respondent.

17. The petitioner was discharged from service with superannuation benefits for the misconduct of producing false certificates for obtaining promotion. The argument that is advanced on behalf of the petitioner is that he has not submitted the certificate and the mark-list before the Respondent with the knowledge that they are fake. According to the petitioner, he never knew before he received the Charge Memo that the documents are fake. Even in the explanation submitted by him to the Charge Memo he has stated that he has taken private coaching, that the documents were sent to him through courier from Visakhapatnam and he had no reason to doubt that they are fake certificates. He had stated in his appeal memo submitted to Appellate Authority that on enquiry he had come to know that a criminal proceedings has been initiated against the Administrator of the coaching centre where he had attended.

18. The counsel for the petitioner had referred to certain legal pronouncements in support of his argument that in the absence of proof of tampering with the document the person need not be visited with the punishment of discharge from service. The counsel has referred to the decision in *NAVDEEP VS. STATE OF PUNJAB AND ANOTHER* reported in 2006 9 SCC 500 where it was held that even though there was tampering, the tampering itself was not of any consequence. It was observed that even without considering the tampered marks the appellant possessed minimum educational qualification. The Apex Court had directed that the government could well to consider whether a fresh appointment could be given ignoring the tampered marks. Of course, it was specified by the Apex Court that this is not to be taken as a precedent. In the decision in *SEKAR VS. DIRECTOR OF MEDICAL EDUCATION AND OTHERS* reported in 2009 4 CTC 158 it was held that the alleged bogus certificate has no bearing in the case and had directed to reinstate the petitioner in service. In the decision in *GUNASEKARAN VS. DIRECTOR OF ANIMAL HUSBANDRY AND ANOTHER* reported in Writ Petition No. 14217 of 2007 (unreported) the Madras High Court has found that the certificate is bogus. At the same time it was also found that the petitioner had no knowledge that the certificate itself is a bogus one. It was held that in the absence of knowledge on the part of the person who produced the certificate that the same was fake he cannot be penalized with the punishment of dismissal. The counsel for the Respondent has referred to the decision in *KERALA SOLVENT EXTRACTIONS LTD. VS. UNNIKRISHNAN AND ANOTHER* reported in 1994 2 LLJ 888 where a workman had suppressed his higher qualification since the qualification for the post was only 8th Standard and the Apex Court has upheld the termination of the person on the basis. However, it is not

a case where the concerned person has acted without knowledge.

19. Certain circumstances in the present case persuade me to hold that there is every possibility of the petitioner having acted without actual knowledge of the fakeness of the certificate. Immediately after the charge memo was issued to him he has given an explanation stating that he did not consciously, knowingly and intentionally produced any fake certificates before the Respondent. He has stated that he had received the documents by post and he was under the impression that they are genuine and thus have produced them before the Respondent seeking promotion on that basis. In the same explanation he has stated that he has taken coaching from a private coaching centre and he had no knowledge that the documents were fake. The possibility of a coaching centre creating the certificates to boost its image certainly could not be ruled out. Another aspect which persuades me to think that the petitioner had no part in the affair is that he had always taken a consistent stand that he was not aware of the manipulation and he was just made a scapegoat.

20. The petitioner seems to have been working with the Respondent for some time. There is no case for the Respondent that the petitioner had committed any misconduct earlier. He, just like any person working as a Class-IV employee, had the dream of getting into the next higher step in the ladder, had attended the coaching class and had appeared for all the examinations. When he received the certificates in his hand, in all probability he might have thought that he had passed the examination and the certificate and the mark-list are proof of this. I am inclined to come to the conclusion that the petitioner in all probability had no knowledge that the documents are fake. In fact in the absence of any evidence on the part of the management there is nothing to show that the petitioner had submitted the documents intentionally, with the knowledge that they are fake, in order to gain advantage using the same. In that case there is no impropriety in allowing the petitioner to continue as Sub-Staff with the Respondent.

21. On the basis of my discussion above, an award is passed as follows:

The order of the Disciplinary Authority which was confirmed by the Appellate Authority is modified. The punishment of discharge from service is set aside. The Respondent is directed to take back the petitioner in service as Sub-Staff within two months and retain him in service in the same position. The petitioner will not be entitled to any back wages. The period during which he was out of service shall be taken into account for the purpose of continuity of service only.

K. P. PRASANNA KUMARI, Presiding Officer

Witnesses Examined :

For the 1st Party/ : WW1, Sri J. Vijayasekhar
Petitioner

For the 2nd Party/ : MW1, Sri Chinta Bala Nageswara Rao
Management

Documents Marked :**On the petitioner's side**

Ex.No.	Date	Description	Ex.No.	Date	Description
Ex.W1	16.02.1991	Appointment Order	Ex.M6	30.07.2005	Statement of marks issued by Andhra University to Vijayasekhar Jonnada – April, 2005
Ex.W2	13.04.2006	Charge Sheet	Ex.M7	27.10.2005	Letter from Respondent to Controller of Examinations, Andhra University under Ref. HRD/PAY/9/24/2005-2006
Ex.W3	25.05.2006	Explanation	Ex.M8	31.12.2005	Letter from Respondent, Rajahmundry Branch to A.O., Karur
Ex.W4	12.08.2006	Enquiry Officer Appointment	Ex.M9	06.03.2006	Letter from Respondent to Petitioner
Ex.W5	12.01.2008	Findings of Enquiry Officer	Ex.M10	09.03.2006	Reply from petitioner to the Respondent through Branch Manager, Rajahmundry Branch
Ex.W6	02.02.2008	Proceedings of the Disciplinary Authority	Ex.M11	03.02.2006	Letter from Respondent to the Controller of Examination, Andhra University under reference HRD/SS/268/2005-2006
Ex.W7	14.02.2008	Personal hearing of Disciplinary Authority	Ex.M12	08.02.2006	Letter from Andhra University, Visakhapatnam to Respondent
Ex.W8	20.02.2008	Appeal submitted by the petitioner	Ex.M13	15.02.2006	Letter from Respondent to The Controller of Examination, Andhra Pradesh, Visakhapatnam
Ex.W9	07.07.2008	Personal hearing	Ex.M14	/2/2006 received on 03.02.2006	Letter from Andhra University School of Distance Education, Visakhapatnam to Respondent (No. SDE/Exams – II/ 2006)
Ex.W10	26.07.2008	Minutes of personal hearing	Ex.M15	06.05.2006	Letter from Andhra University School of Distance Education, Visakhapatnam addressed to Respondent
Ex.W11	01.08.2008	Punishment confirmed by the Authority			
Ex.W12	-	Annexure			
Ex.W13	02.05.2006	Mark Statement			
Ex.W14	-	Hall Ticket			
Ex.W15	-	Student Identification Card			
Ex.W16	-	Hall Ticket			

On the Management's side

Ex.No.	Date	Description	Ex.No.	Date	Description
Ex.M1	11.09.2006		Ex.M16	09.02.2007	Letter from Respondent to Lakshmi Vilas Bank, Visakhapatnam
	05.12.2006	Proceedings of Enquiry	Ex.M17	26.02.2007	Letter from Lakshmi Vilas Bank, Visakhapatnam to Respondent
	22.01.2007		Ex.M18	26.02.2007	Letter from Andhra University School of Distance Education to Respondent - (No. SDE/Exams – II/2006)
Ex.M2	17.09.2005	Letter from petitioner to Respondent	Ex.M19	29.06.2007	Presenting Officer's submissions
Ex.M3	30.07.2005	Provisional Certificate issued to Vijayasekhar Jonnada by Andhra University – April, 2005	Ex.M20	24.09.2007	Defense submissions
Ex.M4	30.06.2005	Statement of marks issued by Andhra University to Vijayasekhar Jonnada – April, 2005	Ex.M21	14.02.2008	2nd Show-Cause Notice issued by Respondent to the Petitioner proposing punishment of "Discharge from service with superannuation benefits" and notifying personal hearing on 28.02.2008
Ex.M5	14.07.2005	Statement of marks issued by Andhra University to Vijayasekhar Jonnada – April, 2005			

Ex.M22	14.03.2008	Proceedings of personal hearing before the Disciplinary Authority
Ex.M23	09.05.2008	Final order discharging the petitioner from the service of the Bank with superannuation benefits
Ex.M24	01.08.2008	Order of the Appellate Authority confirming the punishment imposed by the Disciplinary Authority
Ex.M25	28.11.2011	Dispute raised by Petitioner under Section-2A of the ID Act before ALC(C), Chennai
Ex.M26	21.04.2012	Respondent's counter filed before the ALC (C), Chennai
Ex.M27	25.10.2012	Conciliation Failure Report
Ex.M28	20.01.2009	Receipt of the petitioner towards settlement of his gratuity dues – Rs. 1,13,965.05 credited to his SB A/c No. 605-301-13349
Ex.M29	20.01.2009	Receipt of the petitioner towards settlement of his GSIL payment and credited to his SB A/c No. 605-301-13349
Ex.M30	15.11.2010	Receipt of the petitioner towards full and final settlement of his gratuity arrears – Rs. 26,376.26 credited to his SB A/c No. 605-301-13349
Ex.M31	20.01.2009	Receipt of the petitioner towards full and final settlement of his provident fund dues and credited to his SB A/c No. 605-301-13349
Ex.M32	26/27.09.2002	Settlement

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2466.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 15/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-12011/01/2011-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2466.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 15/2011) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Jaipur as shown in the Annexure, in the industrial dispute between the management of State Bank of Bikaner & Jaipur and their workmen, received by the Central Government on 08/09/2014.

[No. L-12011/01/2011-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Sh. BHARAT PANDEY, Presiding Officer

I.D.15/2011

Reference No. L-12011/01/2011 (IR(B-I) dated: 2.6.2011

General Secretary
All Bank Safai Karamchari Sangh
Sita Bari, Kamani Road,
Harijan Basti, Jhotwara,
Jaipur

V/s.

General Manager (Operations)
State Bank of Bikaner & Jaipur
Head Office, Tilak Marg, C-Scheme,
Jaipur

Present

For the applicant Union: Sh. Dindayal Dhehanwal

For the non-applicant : Sh. R.K.Jain &
Sh. A. Mazoomdar, Advocate

AWARD

30.10.2013

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section 1 & 2(A) of Section 10 of the Industrial Disputes Act 1947 has referred the following Industrial dispute to this tribunal for adjudication:-

“Whether the action of the management of State Bank of Bikaner & Jaipur in terminating the services of Shri Sonu, Part Time Sweeper, SBBJ, Surajpole Branch, Jaipur with effect from 17.2.2010 is legal & justified? To what relief the workman is entitled?”

2. After receipt of reference it was registered on 12.2.2011 & notices were sent to both the parties. On 19.9.2011 statement of claim dated 19.9.2011 was filed on behalf of applicant through General Secretary, All Bank Safai Karamchari Sangh (Regd.) Sh. Dindayal Dhehanwal. On behalf of non-applicant, General Manager (Operation), State Bank of Bikaner & Jaipur, Head Office, Jaipur Sh. Amitabh Mazoomdar, Advocate was in appearance &

reply against the claim was filed on 11.9.2012. Opportunity was given to applicant for filing rejoinder & concerned documents. On 24.1.2013 documents were filed by non-applicant alongwith index. Opportunity was given to applicant for filing rejoinder & documents on 15.7.2013 but neither rejoinder nor documents were filed on that date.

3. An application alongwith memorandum of settlement was jointly filed by both the parties with request to keep the memorandum of settlement on record of the file & pass the award according to memorandum of settlement filed by the parties.

4. According to memorandum of settlement, it has been agreed by & between the parties that applicant Sh. Sonu represented through General Secretary of the All Bank Safai Karamchari Sangh will be absorbed by the bank as part time safai karamchari (PTSK) w.e.f. 1.8.2013 & there will be no claim from his side for any kind of benefit accruing before 1.8.2013 against the bank & all dispute between the parties shall be deemed to have been resolved. It has also been resolved between the parties that Sh. Sonu will be posted in any branch of the bank existing in Jaipur & his appointment by the bank shall not be considered as an example for extending this kind of benefit in any other case. It has also been resolved that dispute between the parties before industrial tribunal Cum Labour Court, Jaipur which has been registered as CGIT-15/2011 shall come to an end & an application will be jointly filed before the tribunal to pass the award in terms of memorandum of settlement.

5. Due to retirement of the Presiding Officer of this tribunal, this memorandum of settlement remained undisposed.

6. After assuming the charge by the succeeding Presiding Officer on 10.10.2013, another application in connection with memorandum of settlement was filed by parties on 25.10.2013 in which it has been alleged that in memorandum of settlement dated 15.7.2013 in 1st paragraph 1.8.2013 be read as on or before 31.10.2013 which is the date of taking Sh. Sonu in employment of the bank as part time safai karamchari. It has also been requested that this application be made part of the memorandum of settlement.

7. The dispute between the parties referred for adjudication pertains to whether termination of the services of Sh. Sonu, a part time sweeper at State Bank of Bikaner & Jaipur, Surajpole Branch, Jaipur w.e.f. 17.2.2010 by the management of SBBJ is legal & justified.

8. The Ld. Representatives appearing on behalf of both the parties have jointly submitted that dispute raised by the applicant union for Sh. Sonu has been amicably resolved & a settlement has been entered into by both the parties on 15.7.2013 & 25.10.2013, therefore, award may be

passed in terms of memorandum of settlement. In view of above facts & circumstances, memorandum of settlement may be accepted by the tribunal & dispute between the parties may be disposed in terms of settlement entered into by them.

9. In view of above fact & circumstances, I find it fit & proper to dispose this CGIT case no.15/2011 in terms of memorandum of settlement which appears to be legal & voluntarily entered by both the parties.

10. In view of above, the award is passed in terms of memorandum of settlement dated 15.7.2013 & 25.10.2013, Annexure-A & Annexure-B respectively. Both the annexure will be part of the award.

11. Award as above.

12. Let a copy of the award be sent to Central Government for publication u/s 17(1) of the I.D.Act.

BHARAT PANDEY, Presiding Officer

Annex-A

समक्ष माननीय केन्द्रीय औद्योगिक न्यायाधिकरण, जयपुर

वाद संख्या : सी.जी.आई.टी. 15/2011

मध्य

महासचिव,

ऑल बैंक सफाई कर्मचारी संघ

जयपुर

एवं

शाखा प्रबंधक,

एस.बी.बी.जे.,

सूरजपोल शाखा, जयपुर ।

प्रार्थी व अप्रार्थी की ओर से संयुक्त प्रार्थना-पत्र

मान्यवर,

उपरोक्त प्रकरण में दोनों पक्ष संयुक्त रूप से निम्न निवेदन करते हैं :-

1. यह कि उपरोक्त प्रकरण वास्ते जवाबउल जवाब, प्रार्थी दिनांक 25-4-2013 को नियत थी ।
2. यह कि उपरोक्त प्रकरण में दोनों पक्ष के मध्य परस्पर वार्ताओं के पश्चात् एक आपसी ब्राहमी समझौता सम्पन्न हुआ है, जिसकी एक प्रति इस प्रार्थना-पत्र के साथ संलग्न की जा रही है ।

अतः माननीय न्यायधिकरण से सविनय निवेदन है कि उक्त प्रकरण में समझौता परिपत्र को रिकार्ड पर लिया जाकर, उक्त समझौते के अनुरूप आवाइ पारित करने की कृपा फरमावें ।

वास्ते अप्रार्थी

वास्ते प्रार्थी

राजेन्द्र कुमार वर्मा

दीनदयाल देहनवाल

शाखा प्रबन्धक,

महासचिव

एस.बी.बी.जे. सूरजपोल शाखा

आल बैंक सफाई कर्मचारी संघ

जयपुर

राजस्थान, जयपुर

दिनांक : 15-7-2013

समझौते का प्रारूप**(फार्म-एच)**

- पक्षकारों के नाम : मै. स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर
मार्फत महा प्रबंधक एवं महा सचिव ऑल
बैंक सफाई कर्मचारी संघ, जयपुर ।
- प्रबन्ध प्रतिनिधि : 1. श्री राजेन्द्र कुमार वर्मा, शाखा प्रबंधक,
एस.बी.बी.जे. सूरज पाल शाखा, जयपुर ।
- कर्मचारी संघ प्रतिनिधि : दीनदयाल देहनवाल (महासचिव)
आल बैंक सफाई कर्मचारी संघ राजस्थान ।

समझौते का संक्षिप्त विवरण

ऑल बैंक सफाई कर्मचारी संघ द्वारा श्री सोमू के सम्बन्ध में एक कथित औद्योगिक विवाद केन्द्रीय उप श्रम आयुक्त, जयपुर के समक्ष उठाया गया था एवं जिसके असफल होने पर केन्द्रीय सरकार द्वारा उक्त कथित विवाद को न्यायनिर्णायक केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय, जयपुर को प्रेषित कर दिया गया है, जो वर्तमान में प्रकरण संख्या सीजीआईटी 15/2011 पर लम्बित है। उक्त वाद के लम्बित रहते हुए पक्षकारों द्वारा आपसी वार्ता के जरिये विवाद को समाप्त करने की पहल की गई एवं परस्पर वार्ताओं के पश्चात् पक्षकारों के मध्य निम्न शर्तों पर समझौता सम्पन्न किया गया :-

समझौते की शर्तें :

1. यह कि दोनों पक्षों के मध्य यह तय पाया गया कि सोनू चावरिया जिसका प्रतिनिधित्व उक्त संघ द्वारा किया गया है को दिनांक 01-08-13 से अंश कालीन सफाई कर्मचारी (PTSK) के पद पर बैंक द्वारा कार्य पर रखा जायेगा। पक्षकारों के मध्य यह भी तय पाया गया कि उक्त तिथि से नियुक्ति देने के उपरांत श्री सोनू चावरिया अथवा उक्त कर्मचारी संघ द्वारा किसी भी प्रकार के पूर्व अवधि के लाभ/परिलाभ, वेतन बकाया अथवा अन्य, या वरिष्ठता आदि के बारे में किसी भी प्रकार का कोई क्लेम बैंक के विरुद्ध शेष नहीं रह जायेगा तथा सभी प्रकार के विवाद को इस समझौते के परिपेक्ष में समाप्त समझा जायेगा।
2. यह कि दोनों पक्षों के मध्य यह भी तय पाया गया कि बैंक द्वारा जयपुर में कहीं भी किसी भी शाखा में, श्री सोनू चावरिया को नियुक्त करने का अधिकार रहेगा एवं जिसके सम्बन्ध में श्री सोनू चावरिया अथवा कर्मचारी संघ को किसी भी प्रकार की कोई आपत्ति नहीं होगी तथा न ही उनके द्वारा उक्त सम्बन्ध में कोई विरोध किया जायेगा।
3. यह कि दोनों पक्षों के मध्य यह भी तय पाया गया कि श्री सोनू चावरिया को उपरोक्तानुसार नियुक्ति देने को किसी भी प्रकार से बाध्यकारी मिसाल/परिपाटी नहीं माना जावेगा तथा वर्तमान प्रकरण के अलावा संघ द्वारा अन्य किसी मामले में उक्त संदर्भित नियुक्ति के लिए कोई दबाव नहीं बनाया जावेगा।
4. यह कि दोनों पक्षों के मध्य यह भी तय पाया गया कि इस समझौते के फलस्वरूप कर्मचारी संघ द्वारा जो औद्योगिक विवाद माननीय केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय, जयपुर के समक्ष प्रस्तुत किया है, जो कि माननीय न्यायालय द्वारा प्रकरण संख्या सी.जी.आई.टी. 15/2011 पर

पंजीकृत किया गया, को पूर्ण रूप से समाप्त समझा जावेगा तथा पक्षकारों द्वारा संयुक्त रूप से माननीय न्यायालय के समक्ष एक संयुक्त प्रार्थना पत्र प्रस्तुत कर निवेदन किया जावेगा कि माननीय न्यायालय उक्त विवाद को समाप्त कर पक्षकारों के मध्य हुये वर्तमान समझौते के अनुरूप, अवार्ड पारित करने की कृपा करें।

उपरोक्त शर्तों एवं शरायतों के साथ दोनों पक्षों के मध्य आज 15-07-2013 को सौहार्द्र पूर्ण वातावरण में उपरोक्त प्रकार से समझौता निष्पादित हुआ है, सनद रहे एवं वक्त जरूरत काम आवे।

हस्ताक्षर कर्मचारी

प्रतिनिधि

दीनदयाल देहनवाल

आ.बै.स.क.संघ,

राजस्थान, जयपुर

हस्ताक्षर प्रबन्ध

प्रतिनिधि

राजेन्द्र कुमार वर्मा

एस.बी.बी.जे. सूरज पाल शाखा

जयपुर

साक्षी :

1. Arvind Mathur Staff SBBJ Surajpole Br. Jaipur

1. शंकर पुत्र कुंज बिहारी, 266,
श्यामपुरी, हीदा की मोरी, जयपुर**ANNEX-B**

Before : The Hon"ble Presiding Officer CGIT-Cum-Labour Court, Jaipur

Case No. CGIT 15/11

Sonu (Workman) Rep. by

All Banks Safai Karmchhari Sangh (Regd.)

Vs.

Management of State Bank of Bikaner & Jaipur

Application for issuance of Award in terms of Settlement arrived between both the Parties.

MAY IT PLEASE YOUR HONOUR

Both the parties as mentioned above have arrived at a settlement to resolve the above dispute as per terms and conditions contained in the memo of settlement dt. 15-7-2013 submitted jointly before the Hon. Tribunal.

However, the date stipulated in the above settlement dt. 15-7-2013 was 1st August, 2013 for providing appointment to the workman. We humbly request to your honour to kindly read the said date as on or before 31st October, 2013 instead of 1st August, 2013 and this document be made Humbly sub by part of agreement.

25th October, 2013

Rajinder Kumar Verma
Branch Manager

Din Dayal Dhanwal Genl. Secy. Union
All Bank Safai Karmachari Sangh
(SONU) Workman

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2467.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर पूर्व रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 05/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-41011/40/2001-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2467.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 05/2002) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the management of North Eastern Railway and their workmen, received by the Central Government on 08/09/2014.

[No. L-41011/40/2001-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT LUCKNOW

PRESENT : Dr. MANJU NIGAM, Presiding Officer

I.D. No. 05/2002

Ref. No. L-41011/40/2001-IR (B-I) dated : 08.01.2002

BETWEEN

The Branch Secretary
N.E. Railway Employees Union, P.R.K.S.
Gorakhpur, C/o Shakha Mantri
Distt. Gorakhpur - 273001
(Espousing cause of Mo. Sagir & 11 others)

AND

The General Manager
North Eastern Railway
Gorakhpur - 273001

AWARD

1. By order No. L-41011/40/2001-IR(B-I) dated: 08.01.2002 and its subsequent corrigendum dated 05.12.2002, the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between The Branch Secretary, N.E. Railway Employees Union, P.R.K.S., Gorakhpur, C/o Shakha Mantri, Distt. Gorakhpur and the General Manager, North Eastern Railway, Gorakhpur for adjudication to this CGIT-cum-Labour Court, Lucknow.

2. The reference under adjudication is:

“Whether The Action of The Management of N.E. Railway, Gorakhpur in not regularizing the Services of 12 workmen as per list submitted by The Union (Enclosed Herewith) as Railway Servant and also Terminated them from the services w.e.f. 04.07.1990 are legal and justified? If not, what relief the workmen are entitled?”

3. The case of the workmen's union, in brief, is that the Railway Men's Consumer Co-operative Society Ltd. (hereinafter referred to as Society), a registered Society under NER, Gorakhpur runs with the Co-operation of Railways. The Society has nine units viz. Accounts Canteen, CME Canteen, CCS Canteen, Press Canteen Depot, TAB Canteen, Stores Canteen, Loco Shed Canteen, Central Stores Canteen and Halwai Khana. The Society collects the subscription from the employees of the Railway and deposit a part of same to the Railway and in turn Railway provides salary and other benefits to the employees of Society after adding subsidy to the amount. It is pleaded by the Union that the accounts of the all the units of the Society were regulated by the Railways and the orders/directions of Railway Board were applicable upon all the employees of the Society. It is submitted that the Society had 76 employees and they were transferred amongst different units of Society as per requirement; also they were sent to the outstations/elsewhere and for this purpose they were also issued railway pass. It is submitted by the Union that Hon'ble Apex Court in M.M.R. Khan vs. Union of India, 1990 SC 937 AIR held that the employees of such statutory canteens are to be treated as Railway employee and as such, the Railway took over the all the canteen along with entire establishment, including its employees. It is alleged by the Union that on taking over the establishment of Society the Railway absorbed only 58 employees and terminated the 18 employees without any rhyme or reason. It is submitted by the Union that all the 76 employees were appointed by the Administrator, Railway Men's Consumer Co-operative Society Ltd. and the Railway absorbed the employees by adopting pick and choose method. It is also alleged by the union that the management of NER absorbed Shri Dhunai who was at serial No. 72 of the employees sparing the workmen under present dispute viz. Shri Mo. Sagir Khan S/o Nagir Khan, Ram Dev Singh S/o Jagat Singh, Panpat Prasad S/o Balli, Ramakant Nishad S/o Jageshwar Nishad, Kaushal Kishore Mishra S/o Brij Nandan Mishra, Pramod Kumar Singh S/o Ram Adhin Singh, Hari Shankar Ram S/o Basant Ram, Subhash Chandra S/o Hari Charan, Tirthraj Giri S/o Bechu Goshain, Buddhi Ram s/o Shrawan, Surya Bhan S/o Gorakh Nishad and Chandma Prakash Mishra S/o Babu Mishra. It is submitted that all the 12 workers were appointed by the Administrator w.e.f. 19.05.89 and working since then as casual labour/service boy and their services had been terminated w.e.f. 04.07.90 instead

of regularizing them. Accordingly, the Union has prayed that the oral termination order dated 04.07.90 be set aside and the workmen be regularized with consequential benefits, including full back wages.

4. The management of the NER has filed its written statement; whereby it has denied the claim of the Union, stating therein that the workmen under dispute had been employees of the Society and they had never been employees of the railway, therefore, there arise no question of terminating their services at any point of time. It has also been submitted that the Society was not registered by the NER administration rather the same is registered under Co-operative Societies, UP and the Rail administration had no control over it. It is stated by the management that the railway has been running canteens through Co-operative Societies on 'no profit no loss' basis for its employees and subsidy is being granted to such Societies by the Railway. It is also stated that the Railway administration has fixed certain number of employees in such canteens and if the Societies appoint the employees in excess, without approval of the Railways, then no subsidy is being granted to such employees. It was further submitted that the workmen under dispute are appointees of such unapproved category who were appointed by the Society. The railway does not recognize such employees and no subscription were ever paid by the Societies and the railway did not pay any salary to the workmen under dispute. It has been pleaded that number of recognized employees in the recognized/subsidized canteen by the railway, before 01.04.90 was only 58 and rest employees were appointed by the Society on its own and railway has no relation with such employees. It has also been submitted by the management that the railway paid subsidy to 58 employees only and paid them salary etc. and has also absorbed them. It is stated that the railway has no concern with the other employees who have been appointed by the Society without approval of the railways. Accordingly, the management has prayed that the claim of the workmen's union be rejected being devoid of any merit.

5. The workmen's union has filed its rejoinder wherein apart from reiterating the averments already made in the statement of claim has introduced nothing new.

6. The parties have filed number of documentary evidence, which include original as well as photocopy. The workmen, union has examined the workmen viz. Panpat Prasad, Subhash Chandra, Hari Shankar Ram, Kaushal Kishore, Rama Kant, Ram Dev Singh, Mo. Sageer Khan, Pramod Kumar Singh and Suraj Bhan; whereas the management examined Shri Amiya Rama, Senior Personnel Officer, Shri Vishwamitra Mishra, Administrator, Consumer Co-operative Society and Shri J.F Ahmed, Superintendent, CPO Office in support their respective claim. The parties availed opportunity to cross-examine the witnesses of each other apart from forwarding oral arguments.

7. Heard authorized representatives of the parties and perused entire material available on record.

8. The authorized representative of the workmen's union has contended that the workman had been working in the Canteen run by Society, which was given subsidy by the NER administration and on directives of the Hon'ble Apex Court, the management absorbed only 58 employees out of 76 employees working in such Canteens. It was argued that the workmen under dispute have been appointed by the administrator of the Canteen viz. Shri Vishwamitra who has stated in his oral evidence before this Court that he appointed them and their appointment letters find reference on record. It is also contended by the authorized representative that the management was required to regularized all the employees, working in such recognized/subsidized canteens; but it has spared the workmen arbitrarily and has adopted pick and choose method. It also regularized some juniors. It was pointed out that one Shri Dhunai who was junior to the workmen was regularized; whereas the services of the workmen under dispute were terminated without any notice or compensation instead of regularizing them.

9. In rebuttal, the authorized representative of the management has contended that the NER had no control over the Society nor it was registered with the NER; rather the same was registered with the Co-operative Society U.P. It is also argued that these canteens are run through Consumer Societies on "no profit no loss basis" as welfare measure and subsidy is being given towards salary paid to the employees of such Canteen. It is urged that number of employees in recognized union before 01.04.90 was 98 and rest were appointed by the Society and the Railway has no relation with them; accordingly, only 58 employees were regularized pursuant to the directions given by Hon'ble Supreme Court.

10. I have given my thoughtful consideration to the rival submissions of the authorized representatives of the parties and scanned entire evidence on record.

11. The workmen's union has examined workmen who have stated that they have been appointed by the Administrator of the Society viz. Shri Vishwamitra and their appointment letter is on record. They also stated that the Canteen had been taken over by the NER on 03.07.90 and they were in employment on that date. It is also stated that while absorbing no examination was taken of the employees who were absorbed and Shri Dhunai who was junior to them even then he was regularized. It was also stated that no notice or compensation or charge sheet was given to them.

In rebuttal, the management witness, Shri Amiya Raman, Senior Personnel Officer has stated, referring paper No. C-22 filed on 09.11.2005, that the Railway Board on 13.04.87, issued an order; whereby it notified that there

should not be any increase in the number of employees in the canteens, therefore, the Society was required not to increase the number of its employees. It was also stated that claim of the workman, Mo. Sagir that he was appointed on 01.06.89, is in contravention to the directions contained in Railway Board's letter dated 13.04.87. The management witness, Shri Vishwamitra Mishra, Administrator, Consumer Co-operative Society has stated that he was appointed administrator in 88 and in capacity of Administrator he was authorized to make appointment. It was admitted by him that when he took charge the number of employees were 58 and number of sanctioned employees were 74. It was also admitted that the appointment letters which find reference on record, paper no. 32/4 to 32/14 & 48/4 were in his signatures; and Shri Dunai was also appointed by him who was regularized.

12. Having gone through the evidence, it becomes apparent that the management has come up with the case; firstly that the NER had no control over the Society but on the other hand it has also pleaded that the Railway runs canteen with the help of Society on no profit no loss basis and subsidy is being given to pay salary to the employees working in such canteen. Hence, in view of the above it appears that the railway is trying to take two different stand in the same situation i.e. the pleading of having no control on one hand and then pleadings of running Canteen with Society and extending subsidy to it on the other. Therefore, the pleadings of the NER is not reliable that it had no control over the Society/canteen

Secondly, the management has come up with the case that approved number of the employees in recognized canteens was 58 and accordingly, they were regularized, sparing excess employees. But it could not show any documentary proof that the sanctioned strength of such employees were 58 only and any action was taken by the management against the Administrator of such canteens who appointed employees in excess to the sanctioned strength without the approval of the Competent Authority/ Railway Board. It is not disputed that the Administrator was authorized to make appointment. It was admitted by him before this Tribunal that sanctioned strength of the employees in the canteen was 74.

13. It is also the case of the management that there should not be any increase in the number of employees in the canteens, therefore, the Society was required not to increase the number of its employees in canteens vide Railway Board's letter dated 13.04.87. Therefore, any appointment after the issuance of letter dated 13.04.87, without approval of the Railways was illegal; hence need not to be given any benefit.

From perusal of the appointment letters of the workmen on record and statement of the workman's witness and Management witnesses, it becomes crystal clear that the letter dated 13.04.87 of the Railway Board, relied on by

the management, had come into force much before appointment of the Administrator, Shri Viswamitra Mishra who was appointed in the year 1988 and appointment of workmen under dispute, who were appointed on 01.06.89. The letter dated 13/4/87 is reproduced hereunder:

“No. E(W)83CN1-8 New Delhi, dated 13/4/87

The General Managers,
All India Railways Including
CLW, DLW, ICF, W&A Plant, Bangalore
And Metro Railway, Calcutta.

The Director General
R.D.S.O.
Lucknow

The Principal
IRISET
Secunderabad.

The Chief Administrative Officer
Diesel Component Works
Patiala

Sub : Setting up of new statutory/non-statutory canteens on the Railways.

Attention is invited to the provisions contained in para 2031 of the Indian Railway Establishment Manual, governing the principles for setting up of canteens on the Railways which inter-alia lay down that “any scheme for the provision of new canteens should be submitted to the Board for approval indicating the financial implications duly vetted by the FA&CAO”. Further, instructions were conveyed vide Board's letter No. E(W) 63CN1-2 dated 9/7/63 specifically in respect of non-statutory canteens provided other than under the Factories Act, 1948.

2. Board desire that the above instructions should be reiterated to the Zonal Railways etc. to ensure full compliance with the manual provisions. Accordingly, no commitment should be made nor expenditure incurred for setting up of new statutory/non-statutory canteens as also increase in the staff strength in any of the existing canteens without Board's prior approval.

-sd-

(P. L. N. SHARMA)
Desk Officer, Estt. (Welfare)
Railway Board.”

The management of Railways has contended that when the Railway had issued instructions vide above letter dated 13/4/87, any appointment in the Canteen thereafter, was in contravention to the instructions contained in letter dated 13.04.87; hence, appointments made by the Administrator was not just hence the same could not be regularized. But from perusal of above letter dated 13.04.87 it is very much clear that the above instructions were for seeking prior approval of the Board before setting up of

new statutory/non-statutory canteens on the Railways and not for the appointment of employees in the statutory/non-statutory canteens already running/existing. Hence, the case of the Society/Canteen in the present case is not governed by the letter dated 13.04.87 of the Railway Board. Therefore, the appointment made by the Administrator, who was authorized to make appointment in the Canteen cannot be said to be illegal, inasmuch as the Railway paid salary to the workmen under question vide paper No. C-81 to C-90.

The management witness, in his examination-in-chief has stated that sanctioned strength was 58 only and in the salary bill for the month of March, 90 names of 18 persons was increased to give undue benefit in the light of Hon'ble High Court's order. But there is no evidence on record to show that the Railway took any corrective measure against above payment, which was made in excess to the sanctioned strength. This goes to show that actually the sanctioned strength was more than 58 and the Canteen/Society in question was not governed by the instructions issued vide letter dated 13.04.87 of the Board. The management of NER was required to regularize the services of the workmen under dispute with other workmen who on the rolls of the society on 03.07.90. The management acted arbitrarily and adopted pick and choose method; and instead of regularizing the services of the workmen, terminated their services orally w.e.f. 04.07.90 without following the due procedure laid down in the Industrial Disputes Act, 1947.

14. The workman has come up with the case that the management regularized one Shri Dhunai who was junior to the workmen under dispute. In this regard the statement of management witness, Shri Vishwamitra Mishra, the Administrator is relevant, in his cross-examination it was stated that he appointed Shri Dhunai in the Canteen who has been regularized and is working as regular appointee as on date. From above statement of Shri Vishwamitra it comes out that all the workmen under dispute as well as Shri Dhunai were appointed by him. Therefore, the appointments made by Shri Vishwamitra after 1988, if they were governed by the letter dated 13.04.87, then all of them were unjust and all of them including, Dhunai were not liable to be regularized. Here in the instant case the management has regularized Dhunai, who was appointed after 1988, this again goes to show that provisions of letter dated 13.04.87 were not applicable on the Society/Canteen under dispute and the action of the management of NER in not regularizing the services of the workmen under dispute was illegal as it regularized another workman Dhunai who was appointed by the same Administrator after issuance of letter dated 13.04.87.

15. Therefore, in view of the facts and circumstances of case and discussions made hereinabove, I am of the considered opinion that the workmen were appointed by

the Administrator of the canteen; and all the workmen, under dispute were required to be regularized in terms of directions of Hon'ble Apex Court; accordingly, I come to the conclusion that the action of the management of NER in not regularizing the workmen and terminating them w.e.f. 04.07.1990 was not only illegal but also unjustified. Therefore, the workmen whose cause is espoused in the present industrial dispute are entitled for reinstatement & regularization w.e.f. 03.07.1990, the date when the canteen was taken over by the NER.

16. Award as above.

Dr. MANJU NIGAM, Presiding Officer

LUCKNOW.

20th August, 2014

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2468.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 03/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-12011/30/2010-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2468.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 03/2011) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 08/09/2014.

[No. L-12011/30/2010-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE SHRI J.P. CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/03/2011

Date: 27.08.2014.

Party No. 1 : The Asstt. General Manager (Admin.),
State Bank of India, Regional Office,
Region VI, Sardar Vallabhbhai Patel
Marg, Kingsway, Nagpur (M.S.).

Versus

Party No. 2 : The Vice President,
State Bank of India Staff Union,
C/o State Bank of India,
Regional Office, Kingsway,
Nagpur (M.S.).

AWARD

(Dated: 27th August, 2014)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of State Bank of India and their workman, Shri A.B. Jadhav, for adjudication, as per letter No.L-12011/30/2010-IR (B-I) dated 30.03.2011, with the following schedule:-

"Whether the action of the management of State Bank of India Region VI Nagpur, in imposing the punishment of dismissal on Shri A.B. Jadhav, Ex Messenger, on the basis of departmental enquiry with effect from 20.07.2007 is legal and justified? If not, what relief the workman is entitled to?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement, in response to which, the workman Shri A.B. Jadhav, ("the workman" in short) filed the statement of claim and the management of State Bank of India, ("Party No. 1" in short) filed their written statement.

The case of the workman as presented in the statement of claim is that he was working as a Messenger at Mahagaon Branch of Party No. 1, situated in the district of Yavatmal and on 12.11.2002, he was detailed in the cash department and on that date, one of the customers of the branch, namely, M/s Manoj Traders tendered a cheque for cash withdrawal, but the said customer failed to collect the payment till the end of the day and as such, the cashier handed over the cash to Shri Sonkusare, the In-charge Dy. Manager (Cash) in total adherence of the norms of the Bank and it was alleged that Shri Sonkusare kept the said cash of Rs. 30,000 in an unlocked drawer of the cash department and in late hours of the night, it was found that the cash of Rs. 30,000 was missing and on 13.11.2002, Shri A.N. Khandale, one of the guards of the Bank allegedly received a phone call from one Mr. Deshmukh from Umarkhed and the said telephonic talk revealed that the Dy. Manager (Cash) had given Mr. Deshmukh Rs. 30,000 and the amount of Rs. 30,000 was dropped in the Post Box at Pusad and the Branch Manager enquired about the same from the Post Master and an amount of Rs. 20,000 in an envelope was found in the said post box and the rest amount Rs. 10,000 was found by him (workman) in the branch premises and he promptly handed over the said amount to the Branch Manager and without holding any preliminary enquiry, the Party No. 1 filed a F.I.R. on 16.11.2002 at the police station, Pusad and in the said F.I.R., he was arrayed as the prime suspect and he approached the Competent Court and was released on anticipatory bail and he continued to work in the branch.

The further case of the workman is that on 08.03.2006, a charge sheet was served on him on the allegation that the cash of Rs. 30,000, which was kept by the In-charge Dy. Manager (Cash) in the drawer of central table of cash department was stolen by him and the alleged incident was of the year 2002 and charge sheet was given on 08.03.2006 and there was no explanation as to why there was delay of about almost four years in giving the charge-sheet and the delay in serving the charge-sheet and conducting the departmental enquiry itself goes to show that he was not responsible for the incident and as the matter was reported in the news paper, somebody was required to make the scapegoat and on the above allegations, the enquiry was conducted against him and he witnesses of the Bank spoke like puppet, before the Enquiry Officer, as they wanted to save the officer of the Bank and management failed to bring home the guilt against him, but in spite of the same, he was held guilty of the charges and the punishment of his removal from services was passed and the appeal preferred by him, before the Appellate Authority was also rejected and the punishment was imposed against him only on mere suspicion, which is clear from the order of the Appellate Authority and the punishment is shockingly disproportionate, looking to the service conditions of messengers and the findings of the Enquiry Officer are far away from the evidence on record and he was made the scapegoat to save the officer and the findings of the Enquiry Officer are patently perverse and required to be quashed and set aside and the Disciplinary Authority without considering the materials on record independently, simply believing on the report of the Enquiry Officer passed the order of punishment on 20.07.2007.

It is further pleaded by the workman that he was acquitted in the criminal case registered against him U/s 381 of I.P.C. on 25.02.2011 by the Judicial Magistrate First Class and in view of his acquittal in the criminal case, the punishment imposed against him in the departmental enquiry is to be set aside and his past clean and unblemished service record was not considered while inflicting the punishment and the Party No. 1 has already recovered a sum of Rs. 20,000 from him and as such, there was no loss to Party No. 1 and he is entitle for reinstatement in service with continuity and full back wages.

3. In the written statement, the Party No. 1 has pleaded inter-alia that the workman was working as messenger in cash department at Pusad Branch from June, 1993 to 08.12.2003 and on 21.11.2002, a customer, M/s Manoj Traders tendered a cheque of Rs. 30,000 for cash payment, through an employee and the said customer did not turn up till 5.30 p.m., so the dealing cashier handed over the cash to the cash officer, in presence of the Deputy Head Cashier and the Cash Officer kept the said cash in the drawer of the center table kept inside the strong room of

the branch before leaving the branch and the cash officer had doubt about locking of the drawer and hence, the cash officer and the Deputy Head Cashier returned to the branch at about 8.30 p.m. to verify as to whether the drawer was locked or not and they reopened the locker and found the cash missing and the Head Cashier reported the matter to the Branch Manager and on enquiry by the Branch Manager, the temporary Watchman revealed that at about 7.30 p.m., he along with the workman entered the cash cabin, where the cash was kept, to check the almirahs and strong room etc and on 13.11.2002, the workman handed over cash of Rs. 10,000/- to the Branch Manager stating that the same was lying near the center table of cash department and on 13.11.2002 itself, the Watchman on duty received a phone call at about 8.30 p.m. and the caller informed the Watchman about someone putting of Rs. 20,000/- in the letter box of Pusad Post Office and the Branch Manager recovered Rs. 20,000/- from the Postal Authorities after lodging the F.I.R. and all the facts and circumstances of the incident pointed out the needle of suspicion towards the workman and as such, after making enquiry and collecting relevant documents, the matter was reported to the controllers of the Branch and a charge sheet was submitted against the workman on 08.03.2006 and a supplementary charge sheet was submitted on 29.08.2006 and the workman was asked to submit his explanation and as the explanation submitted by the workman was found not satisfactory, it decided to hold the enquiry against him and the enquiry commenced on 12.07.2006 and the same was concluded on 10.11.2006 and there were nine sittings in total and the Bank examined seven witnesses and produced 23 documents in support of its case and the workman was represented by the experienced and competent union representative and the witnesses for the management were cross-examined by the defence representative of the workman and the workman also submitted his written submission to the Enquiry Officer on 21.11.2006 and the Enquiry Officer submitted his report on 30.11.2006, holding all the charges to have been proved against the workman and the Disciplinary Authority agreed with the findings of the Enquiry Officer and show cause notice dated 15.03.2007 was issued to the workman along with the copy of the report of the Enquiry Officer and show cause notice dated 15.03.2007 was issued to the workman along with the copy of the report of the Enquiry Officer, to show cause against the proposed punishment of removal from services with superannuation benefits and the workman submitted his reply to the show cause notice on 19.04.2007 and the workman was granted personal hearing on 26.06.2007 and the Disciplinary Authority duly considered the enquiry report and examined the entire matter independently and passed the final order of punishment of removal of the workman from services with superannuation benefits and the workman preferred an appeal against the order of punishment before the appellate Authority on 05.09.2007

and opportunity of personal hearing was given to the workman on 05.10.2007 and the Appellate Authority after considering all the facts and circumstances of the case, dismissed the appeal by order dated 20.05.2009 and the workman is not entitled to any relief.

4. In the rejoinder, the workman has reiterated some of the facts as already mentioned in the statement of claim.

5. As this is a case of removal of the workman from services as a punishment, after conducting of a departmental enquiry, the fairness or otherwise of the departmental enquiry was taken up as a preliminary issued for consideration and vide order dated 21.01.2014, the departmental enquiry conducted against the workman was held to be legal, proper and in accordance with the principles of natural justice.

6. At the time of argument, it was submitted by the learned advocate for the workman that at the time of submission of the charge sheet against the workman, he had already rendered 21 years of service as messenger/peon and his service record was clean and unblemished and it is clear from the materials on record that the workman found a cash of Rs. 10,000/- in the branch premises and he handed over the same promptly to the Branch Manager and without holding any preliminary enquiry at the branch level of the Bank or the Bank level, the Bank Authorities filed a FIR on 16.11.2002 at Pusad Police Station arraying the workman as he prime suspect and on 08.03.2006, the charge sheet was submitted against the workman and the workman was made the scape-goat and the charges levelled against the workman were totally bogus and concocted and there was delay of almost four years in submitting the charge sheet and there was no explanation for such delay and as such, there was violation of the principles of natural justice and in the enquiry, the witnesses examined by the management spoke like puppets, because, they wanted to save the officers involved in the incident and management also failed to prove the charges levelled against the workman and only on the basis of suspicion, it was held by the Enquiry Officer that the charges were proved against the workman and the findings of the Enquiry Officer are far away from the evidence on record and without scrutinizing the evidence in its proper perspective, the Enquiry Officer reached into wrong conclusions and the findings of the Enquiry Officer are perverse and the Appellate Authority also without application of mind and basing on the perverse findings of the enquiry Officer imposed the punishment of removal of the workman from service and the punishment is shockingly disproportionate and as such, the punishment is to be quashed and set aside.

It was further submitted by the learned advocate for the workman that the workman was acquitted in the criminal case by the learned Judicial Magistrate First Class by judgment dated 25.02.2011 and the judicial finding

should prevail over the administrative finding and on that ground also, the punishment inflicted upon the workman is required to be quashed and set aside. It was also submitted by the learned advocate for the workman that before inflicting the punishment, the past clean and unblemished service record of the workman was not considered by the Authority and Bank has already recovered the sum of Rs. 20,000/- from the workman and as such, the Bank has not put into any loss and on that grounds also the punishment is liable to be set aside and the workman is entitled for his reinstatement in service with continuity, full back wages and all other consequential benefits.

7. Per contra, it was submitted by the learned advocate for the party No.1 that the workman has drafted the statement of claim as if he is in appeal before the Tribunal and the workman has made an attempt to prove that departmental enquiry is like a criminal trial and principles of criminal jurisprudence are applicable to such enquiry and the power of this tribunal is of review only, except when it is found that the enquiry is held against the principles of natural justice or that the punishment is shockingly disproportionate to the misconduct, as provided under section 11-A of the Act.

It was further submitted by the learned advocate for the party No.1 that where the Tribunal does not find any fault with the proceeding conducted by the enquiry officer, it does not have any jurisdiction to re-appreciate the evidence and set aside the order of the disciplinary authority on the ground of insufficiency of evidence to prove the charges and Tribunal cannot sit in appeal over the findings of the disciplinary authority and in this case it has already been held by the Tribunal that the departmental enquiry held against the workman to be valid and the findings of the enquiry officer are based on the evidence on record and not an any extraneous material and in the entire statement of claim, there is no whisper as to how the findings of the enquiry officer are perverse and as such, it cannot be said that the findings are perverse. It was also submitted that in banking business, absolute devotion, diligence, integrity and honesty need to be preserved by every bank employee and the charges proved against the workman are serious in nature and the bank has lost confidence in the workman and as such, the punishment imposed against the workman cannot be said to be shockingly disproportionate and the punishment is just and proper and there is no scope to interfere with the punishment and therefore, the workman is not entitled to any relief.

In support of the contentions, reliance was placed by the learned advocate for the party No.1 on the decisions reported in 2005 SCC (L&S)-567 (Damoh Panna Sagar Rural Regional Bank Vs. Munna Lal Jain), 2005-SCC (L & S)-200

(D.M. Plantation Div. Andaman Nicobar Islands Vs. Munna Barriok, 1998 (4) SSC-310 (Union Bank of India Vs. Vishaw Mohan), 1999 LAB IC-3833 (SC) (High Court of Judicature, Bombay Vs. S.S. Patil), (2011) 2 SCC (L & S)-461 (Samar Bahadur Singh Vs. State of UP), AIR 1989 SC-1185 (Union of India Vs. Parmananda), 2005 SCC (L & S)-407 (Div. Controller Vs. A.T. Mane), (2010) 2 SCC (L& S)-239 (UPSRTC Vs. Suresh Chand), 2003 SCC (L & S)-468 (CMD, UCO Bank Vs. P.C. Kakkar), 2005 SCC (L & S)-833 (Canara Bank Vs. V.K. Awasthy) and some others.

Now, keeping in view the principles enunciated by the Hon'ble Apex Court in the decisions cited by the learned advocate for the party No.1, the present case in hand is to be considered.

8. Before delving into the merit of the matter, I think it proper to mention the settled principles regarding the power of a Tribunal in interfering with punishment awarded by the competent authority in departmental proceedings and regarding the effect of acquittal of an employee by a criminal court, against whom a departmental proceedings was also initiated, by the Hon'ble Apex Court.

9. First of all, I will take up the contention raised by the learned advocate for the workman that inspite of the clean cut acquittal of the workman on the criminal case and production of the order of acquittal before the concerned authorities of the party No.1, they did not consider the same and proceeded with the departmental proceedings and imposed the punishment and as such, the punishment imposed against the workman is liable to be set aside.

In this regard, it is well settled in a number of decisions by the Hon'ble Apex Court that, "Question of considering reinstatement after decision of acquittal or discharge by a competent criminal court arises only and only if dismissal from services was based on conviction by criminal court in view of provisions of Art. 311 (2) second proviso (a) of Constitution or analogous provisions in statutory rules applicable in a case. In case where enquiry is independent of criminal proceedings, acquittal in a criminal court, domestic inquiry can be held, since standard of proof required in a domestic enquiry and that in a criminal case are different and facts, charges and nature of evidence, etc. involved in an individual case would determine as to whether decision of acquittal would have any bearing on the findings recorded in the domestic inquiry and once the delinquent employee was found guilty of all the charges and there was due adherence to natural justice while conducting domestic enquiry, punishment of dismissal was proportionate to delinquency."

It is also well settled by the Hon'ble Apex Court that, "Criminal prosecution vis-à-vis departmental action-Standard of proof- In criminal case, proof required is proof beyond reasonable doubt, while in domestic enquiry it is proof on preponderance of probabilities."

Judging the present case in hand with the touch stone of the principles as mentioned above, it is found that the departmental enquiry conducted against the workman was independent of the criminal proceedings and the dismissal of the workman from service was not based on conviction of the Criminal court. It is also found that the charges levelled against the workman and the witnesses examined in the departmental inquiry and criminal cases were not the same were identical. Hence, the acquittal of the workman in the criminal case is of no help to him and there was nothing wrong on the part of the authorities of party No.1 in not taking into consideration the acquittal of the workman in the criminal case.

9. So far the jurisdiction of the Tribunal to interfere with the disciplinary matter of punishment is concerned, in a number of decisions including in the decisions cited by the learned advocate for the party No.1 in this regard, the Hon'ble Apex Court have held that :-

“The jurisdiction of the Tribunal to interfere with the disciplinary matters of punishment cannot be equated with an appellate jurisdiction. The Tribunal cannot interfere with the findings of the Inquiry officer or competent authority where they are not arbitrary or utterly perverse. The power to impose penalty on a delinquent officer is conferred on the competent authority either by an Act of legislature or rules made under the provision to Article 309 of the Constitution of India. If there has been an enquiry consistent with the rules and in accordance with principles of natural justice what punishment would meet the ends of justice is a matter exclusively within the jurisdiction of the competent authority. If the penalty can lawfully be imposed and is imposed on the proved misconduct, the Tribunal has no power to substitute its own discretion for that of the authority. The adequacy of penalty unless it is malafide is certainly not a matter of the Tribunal to concern itself with. The Tribunal also cannot interfere with the penalty if the conclusion of the Inquiry officer or the competent authority is based on evidence even if some of it is found to be irrelevant or extraneous to the matter.

In departmental proceedings, the disciplinary authority is the sole judge of facts and in case an appeal is presented to the appellate authority, the appellate authority has also the power/and jurisdiction to re-appreciate the evidence and come to its own conclusion, on facts, being the sole fact-finding authorities. Once findings of fact, based on appreciation of evidence are recorded, the High Court in writ jurisdiction may not normally interfere with those factual findings unless it finds that the recorded findings were based either on no evidence or that the findings were wholly perverse and/or legally untenable. The adequacy or inadequacy of the evidence is not permitted to be canvassed before the High Court. Since the High Court does not sit as an appellate authority over the factual findings recorded during departmental

proceedings, while exercising the power of judicial review, the High Court cannot, normally speaking, substitute its own conclusion, with regard to the guilt of the delinquent, for that of the departmental authorities. Even insofar as imposition of penalty or punishment is concerned, unless the punishment or penalty imposed by the disciplinary or the departmental appellate authority, is either impermissible or such that it shocks the conscience of the High Court, it should not normally substitute its own opinion and impose some other punishment or penalty. Both the learned Single Judge and the Division Bench of the High Court, it appears, ignored the well-settled principle that even though judicial review of administrative action must remain flexible and its dimension not closed, yet the Court, in exercise of the power of judicial review, is not concerned with the correctness of the findings of fact on the basis of which the orders are made so long as those findings are reasonably supported by evidence and have been arrived at through proceedings which cannot be faulted with for procedural illegalities or irregularities which vitiate the process by which the decision was arrived at. Judicial review, it must be remembered, is directed not against the decision, but is confined to the examination of the decision-making process.

Departmental enquiry is not bound by the strict rules of evidence Act, but by fair play and natural justice. Only total absence but not sufficiency of evidence before Tribunal is ground for interference by court.”

Applying the settled principles as mentioned above to the case in hand, it is found that this is not a case of no evidence or that the findings of the Enquiry Officer are totally against the evidence on record. From the materials on record, it is found that the Enquiry Officer has based his findings on the materials on record of the enquiry and not on any extraneous material. The Enquiry Officer has also assigned reasons in support of his findings. So, the findings of the Enquiry Officer cannot be said to be perverse.

10. So far the proportionality of the punishment is concerned, it was submitted by the learned advocate for the workman that the amount of Rs. 20,000/- was already recovered from the workman and there was no loss to the party No.1 and as such, the punishment of dismissal of the workman from service is patently a harsh punishment and the same is liable to be set aside. It is to be mentioned here that it is well settled that absence of any loss to the bank is no defence. A Bank employee has to exercise a higher degree of honesty and integrity. The charges levelled against the workman and proved in a properly conducted departmental enquiry were not casual, but serious in nature. So, the punishment of removal of the workman from service with superannuation benefits cannot be said to be shockingly disproportionate, call for any interference. Hence, it is ordered:-

The action of the management of State Bank of India Region VI Nagpur, in imposing the punishment of dismissal on Shri A.B. Jadhav, Ex Messenger, on the basis of departmental enquiry with effect from 20.07.2007 is legal and justified. The workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2469.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 10/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-41012/174/2004-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2469.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 10/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the management of North Railway and their workmen, received by the Central Government on 08/09/2014.

[No. L-41012/174/2004-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT LUCKNOW

PRESENT : Dr. MANJU NIGAM, Presiding Officer

I.D. No. 10/2007

Ref. No. L-41012/174/2004-IR(B-I) dated 14.02.2007

BETWEEN

Shri Dwarika, S/o Shri Bache Lal
Gangman, Village – Jignia Kala
Post – Bahorva, Janpad
Hardoi (Distt.)

AND

The Station Master
Northern Railway
Railway Administration
Hardoi (Distt.)

AWARD

1. By order No. L-41012/174/2004-IR(B-I) dated 14.02.2007 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Shri Dwarika, S/o Shri Bache Lal, Gangman, Village – Jignia Kala, Post –

Bahorva, Janpad, Hardoi (Distt.) and the Station Master, Northern Railway, Railway Administration, Hardoi (Distt.) and the Station Master, Northern Railway, Railway Administration, Hardoi (Distt.) for adjudication to this CGIT-cum-Labour Court, Lucknow.

2. The reference under adjudication is:

“क्या गैंगमेन श्री द्वारिका पुत्र बेचे लाल, निवासी ग्राम जिगिनियाँ कलाँ, पोस्ट बहोरवाँ, जनपद हरदोई को रेल प्रशासन द्वारा मूलतः एक आकस्मिक श्रमिक के रूप में नियुक्ति उपरान्त दिनांक 31.12.77 से स्थायी करने के उपरान्त उसका स्थानान्तरण स्टेशन मास्टर हर्वाला (देहरादून) किया जाना एवं श्री द्वारिका द्वारा वहाँ 23.10.87 से 14.12.88 एवं मण्डलीय रेल प्रबन्धक, उत्तर रेलवे, मुरादाबाद में दिनांक 15.12.88 से 6.2.89 तक कार्य मण्डल रेल प्रबन्धक, उत्तर रेलवे मुरादाबाद के स्थानान्तरण आदेश पत्र संख्या-ई/10/शं.पो./89 दिनांक 7.2.89 के उपरान्त भी श्री द्वारिका को गैंगमेन के पद पर रेल पथ निरीक्षक, उ. रेलवे, हरदोई एवं स्टेशन मास्टर, उ. रेलवे, हरदोई द्वारा बिना कारण कार्य पर न लिया जाना न्यायोचित है ? यदि नहीं तो कर्मकार किस पारितोषिक को पाने का अधिकारी है?”

3. The case of the workman, Dwarika, in brief, is that he was engaged against regular vacant post of class IV employee on 31.12.1977 by the opposite party and worked as such, continuously for 12 years and 6 months. It is stated by the workman that during his service period he was not given any warning or charge sheet, even then the management has dismissed him from services maliciously. It has been alleged by the workman that the management has dismissed him from services without any notice or charge sheet or any written order or any formal domestic inquiry. Accordingly, the workman has prayed that the management of the railways may be directed to reinstate him into the services with continuity in services and back wages.

4. The management of the Northern Railway has submitted its written statement denying the allegations of the workman; wherein it has submitted that the workman was engaged as category D staff and was promoted to the post of the post of shunting porter vide order dated 11.08.87 and was relieved to join his duty under the Station Master, NR, Harrawala on 23.10.87. On joining to his new place of duty the workman as required to undergo a psychological test/examination; but he could not succeed the same, resultantly, the workman as reverted back to his original post of Gangman vide letter dated 07.02.89. On reversion/transfer back to his original post in DRM, NR, Moradabd the workman did not report to join his duties at Hardoi without assigning any reason or protest. It has been stated by the management that it was the workman who did not turn for joining the duty at his transfer place not moved any application regarding leave etc. It is specifically stated by the management that the no dismissal order has been passed by the management against the workman till date. Accordingly, the management has pleaded that it is not the management who has dismissed

his services but actually it is the workman who did not turn at his transfer place to join his duties since 07.02.89. The management has also submitted that the workman has preferred present industrial dispute after a long gap of about 18 years, hence the claim of the workman is liable to be rejected being stale one and also being devoid of any merit.

5. The workman has filed his rejoinder; wherein apart from stating the averment already made in the statement of claim the workman has submitted that the management of railways has transferred him to Hardoi without serving any order of demotion etc. and he appeared before Rail Track Inspector on 07.02.89 but he did not allow him to join the duties. Regarding delay the workman has stated that the Government after analyzing the causes of delay, explained in the conciliation proceedings, has referred the present industrial dispute for adjudication to this Tribunal hence, the plea of delay is not maintainable at this juncture.

6. Parties filed documentary evidence as well as adduced oral evidence in support of their respective claim. The workman has examined himself whereas the management has examined Shri Sanjay Kuamr Srivastava, Rail Track Inspector, NR, Hardoi in support of their pleadings. The parties availed opportunity to cross-examine the witnesses of each other apart from forwarding oral arguments in support of their case.

7. The authorized representative of the workman has contended that the workman on being transferred back to Hardoi, reported on duty but he was not allowed to join the duties. It is also argued that the workman has been terminated by the management without serving any notice or charge sheet or conducting any formal inquiry against him, which amounted to the violation of the principles of natural justice.

8. Per contra, the authorized representative of the management has argued that when the workman could not qualify the prescribed medical test after his promotion to the post of Shunting Porter, he was reverted back to his original post and was transferred back to Hardoi; but he seldom turned up at Hardoi to join his post and is absented himself since 07.02.89. It is also contended by the management that it has not dismissed the workman as no dismissal order has been passed by the management till date, therefore, there is no question of violation of principles of natural justice whatsoever.

9. I have given my thoughtful consideration to the rival contentions of the authorized representatives of the parities and perused the record available in light thereto.

10. The workman in his examination-in- chief has stated that he has been transferred to Harrawala at Dehradun on the post of Shunting Porter where he worked as such. On 14.12.88 he was transferred to DRM, Moradabad and therefore, he appeared before DRM, Moradabad from 15.12.88 to 06.02.89 but he was not given any order for joining at any other station. On 07.02.89 he was ordered to join his duties on the post of Gangman at Hardoi Railway

Station, which was accepted by him but he was not allowed to join since 07.02.88 till date. In cross-examination he has stated that he was transferred from Harrawala to Moradabad, from where he was directed to join at PWI Office, Hardoi on the post of Gangman. It is also stated by the workman that he made a protest representation before DRM regarding asking him to join as Gangman when he has passed the training for Shunting Porter. The workman has stated that he was directed to join as Gangman vide letter dated 07.02.89, the photocopy of which is paper No. 11/6. He also stated that he did not furnished the copy of letter dated 07.02.89, paper No. 11/6 to the office Clerk of PWI Office. It has also come in the evidence that he had filed a case in the Central Administrative Tribunal. It was further stated that he went to the PWI office, Hardoi lastly in 1989 and at few occasions thereafter, but could not tell the specific dates.

11. The management has examined Shri Sanjay Kumar Srivastava, Section Engineer, NR, Hardoi who stated in his cross-examination that the workman was recruited on the post of Gangman at Hardoi in 1970 and was made permanent w.e.f. 31.12.77; and worked as such, till October, 1987 at Hardoi. He also stated that the workman was sent to Moradabad from Harrawala and thereafter from Moradabad he was sent to Hardoi Railway station on the post of Gangman on 07.02.89. It was stated by the management witness that keeping absent for long without leave application is gross misconduct. He has further deposed that the workman on transfer to Hardoi did not turn either at Hardoi or at Moradabad or at Harrawala and his attendance was not found marked at any place. The management witness stated that no charge sheet was given to the workman and no domestic inquiry was done in the matter and also the workman was not paid any retrenchment compensation etc.

12. It is admitted case of the parties that the workman was appointed on the post of Gangman w.e.f. 31.12.77 and was promoted to the post of Shunting Porter and was posted at Harrawala Station at Dehradun. Subsequently, he was transferred to Moradabad Division from where he was directed to join his duties as Gangman vide order dated 07.02.89, paper No. 11/6, relied on by the workman. It is the case of the workman that he reported on duty at Hardoi Railway Station on 07.02.89 but he was not allowed to join the services; on the contrary the management has come up with the case that the workman never turned up to join his duties at Hardoi Railway Station. The workman has filed copy of letter dated 11.04.2003, paper No. 11/10-11/12; and its subsequent reminder dated 02.03.2004, paper No. 11/8, addressed to DRM, Moradabad regarding not allowing the workman, Dwarika to join the services at Hardoi. This goes to show that the workman for the first time represented before the DRM, Moradabad for non-joining on 11.04.2003 and thereafter a reminder was also moved vide dated 02.03.3004. Further, the management has filed copy of order dated 23.04.2001 in O.A. No. 546/

1994 between Dwarika vs. DRM, NR, Moradabad & others, paper No. 21/221/3, filed before Central Administrative Tribunal, Lucknow. Learned Tribunal while dismissing the above original application, after considering the same on merit, has observed as under:

4. From the documents of record, Annexures A-5 to A-9, it appears that the applicant approached the PWI, Hardoi to join the post after Annexure-A-4 was passed. However, the applicant was not allowed to join. Though copies of Annexures-A-5 to A-9 have been filed but there is no receipt of these representations. The respondents in para 11 of their counter have submitted that Annexures A-5 to A-9 were not submitted by the applicant in the office of the respondents, and no such representation is pending. We also find that copies of the representations Annexed at Annexures A-5 to A-9 do not bear any endorsement of receipt nor there is any postal receipt for sending these representations to the office of the respondents. As there is no averment to show that these representations were actually sent by the applicant to the respondents, accordingly, it is held that these representations were never sent by the applicant. In the absence of these representations, if the applicant had any grievance in the year 1989, he could have approached the Tribunal within one year as per the provisions of Administrative Tribunals Act, 1985. The O.A. was, however, filed in the year 1994. Delay has not been explained, nor there is any application for condonation of delay. Accordingly, the O.A. is barred by limitation.

From bare perusal of the above order of the learned Tribunal it comes out that when the original application, preferred by the workman, was dismissed by the Tribunal on the point of unexplained delay and non-pendency of any representation regarding not allowing him to join the services, the workman tried to prepare grounds for his present claim and moved the representation dated 11.04.2003, paper No. 11/10-11/12; and its subsequent reminder dated 02.03.2004, paper No. 11/8 and submitted the same to the management by registered post.

13. The workman's allegation is that he appeared at Hardoi Railway Station in pursuance to the transfer orders; but the authorities there did not allow him to join the services on 07.02.89. The workman could not show any evidence regarding this fact that he approached Hardoi Railway Station after 07.02.89 for joining. He also could not lead any evidence to the effect that on denial of joining at Hardoi, he made any complaint/representation before higher authorities regarding alleged denial of joining. It was only after a long delay of more than 14 years he made a representation before DRM, Moradabad on 11.04.2003 for alleged denial of joining to him. The workman has not forwarded any explanation as to what prevented him to go

to the higher authorities immediately after 07.02.89 when he was not allowed to join at Hardoi. No prudent man or an employee who had put in more than 11 years' services will act like the workman has acted. He remained silent/inactive up to 11.04.2003 for alleged injustice done to him. Hence, the contention of the workman that he was not allowed to join the duties, does not seem to be convincing.

14. The management has pleaded that the case is stale one and is suffering from vice of inordinate delay of 18 years on behalf of the workman, which is not explained by the workman hence, the claim of the workman is liable to be rejected. On the contrary the workman has pleaded that the appropriate Government while referring the present industrial dispute for adjudication has considered the reasons of delay which was recited while conciliation proceedings; and after considering the same it referred the same to this Tribunal for adjudication. But no explanation has been forwarded by the workman before this Tribunal regarding delay either in making representation before Railways or raising the industrial dispute.

15. Hon'ble Bombay High Court in Executive Engineer, Public Works Department, Wardha vs. Namdeo Govindrao Nandurkar, Wardha 2011 (129) FLR 1037, where the dispute was raised after a delay of 11 years has observed as under:

“the Court cannot import the period of limitation and the reference cannot be dismissed merely on the ground of delay, it does not mean that irrespective of the facts and circumstances of the case, a stale claim must be entertained and the relief should be granted. In case of delay, no formula of universal application can be laid down and it would depend upon the facts and circumstances of each case. The Court dealing with the reference will have to hold an enquiry and record it is finding on the question whether the reference should be dismissed on the ground of delay. In appropriate cases, the court may mould the relief either by reducing the back wages or by denying it completely. While considering the question of delay, the Court will have to be guided by certain principles, which are culled out from various judgments of the Apex Court. In the present case, the burden of proof was upon the employee to show that the dispute was raised with a reasonable time and to offer an explanation to the satisfaction of the Court for the delay of 11 years caused in seeking reference. Even on merits, no evidence is placed on record to shift the onus upon the employer. The reference was, therefore, stale and was liable to be rejected on the sole ground.”

Further, Hon'ble Apex Court while dismissing the writ petition (civil) No. 71 of 1992 between Ratan Chandra Samanta & Others vs. UoI & Others, where the casual labourers of South Eastern Railway alleged to have been appointed between 1968-69 and retrenched between 1975-78

approached the Apex Court for a direction to the opposite parties to give them re-employment, has observed as under:

“In absence of any fresh cause of action or any legislation a person who has lost his remedy by lapse of time before his right as well. From the date of retrenchment if it is assumed to be correct a period of more than 15 year has expired and in case we accept the prayer of petitioner we would be depriving a host of others who in the meantime have become eligible and are entitled to claim to be employed.”

In Chennai Metropolitan Water Supply and Sewerage Board & Others vs. T.T. Murali Babu 2014 (141) FLR 772, Hon'ble Apex Court has observed as under :

“The Court should bear in mind that it is exercising an extraordinary and equitable jurisdiction. As a Constitutional Court it has a duty to protect the rights of the citizens but simultaneously it is to keep itself alive to the primary principle that when an aggrieved person, without adequate reason, approaches the Court at his own leisure or pleasure, the Court would be under legal obligation to scrutinize whether the lis at a belated stage should be entertained or not. Be it noted, delay comes in the way of equity. In certain circumstances delay and laches may be fatal but in most circumstances inordinate delay would only invite disaster for the litigant who knocks at the doors of the Court. Delay reflects inactivity and inaction on the part of a litigant – a litigant who has forgotten the basic norms, namely, “procrastination is the greatest thief of time” and second, law does not permit one to sleep and rise like a phoenix. Delay does bring a hazard and causes injury to the lis. In the case at hand, though there has been four years' delay in approaching the Court, yet the writ Court chose not to address the same. It is the duty of the Court to scrutinize whether such enormous delay is to be ignore without any justification.”

14. In view of facts and circumstances of the case and legal positions cited above, it appears that the workman never approached the railway authorities for his joining or moved any representation to the higher authorities for not allowing him to join his services at Hardoi within reasonable time. It was only when his original application was dismissed by the Central Administrative Tribunal, the workman, moved a representation dated 11.04.2003 before DRM, NR, Moradabad on the issue. The workman has utterly failed to explain the delay of about more than 18 years, in raising the present industrial dispute and in my opinion, on this basis the present reference cannot be answered in favour of the workman, being his claim to be highly stale one.

15. Accordingly, I come to the conclusion that the workman, Dwarika is not entitled to any relief.

16. Award as above.

Lucknow

22nd July, 2014

Dr. MANJU NIGAM, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2470.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मुम्बई के पंचाट (संदर्भ संख्या 17/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-12012/91/2010-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2470.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 17/2011) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Mumbai as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 08/09/2014.

[No. L-12012/91/2010-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

Present : Justice G. S. SARRAF, Presiding Officer

REFERENCE NO. CGIT-1/17 OF 2011

Parties : Employers in relation to the management of State Bank of India

And

Their workman (Vilas D.Dhongde)

Appearances :

For the State Bank of India : Mr. Nadkarni, Adv.

For the workman : Mr. Kumar Vaidyanathan, Adv.

State : Maharashtra

Mumbai, dated the 20th day of June, 2013.

AWARD

This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act). The terms of reference given in the schedule are as follows:

“Whether the action of the management of State Bank of India, Region-IV, Pune in dismissing Shri Vilas Dattu Dhongde from service with effect from 1.11.2009, is legal and justified? To what relief the workman is entitled to?”

2. According to the statement of claim filed by the workman Vilas Dattu Dhongde he came to be employed as a peon by State Bank of India (hereinafter referred to as the Bank) at its Aswali branch on 12.1.2008. His last drawn salary was Rs.3,460 p.m. He rendered service to the Bank promptly and honestly from the date of his appointment i.e. 12.1.2008 to the date of his termination i.e. 1.11.2009. The Bank illegally and wrongfully terminated his service without following due process of law. The workman completed 240 days of continuous service but he was terminated in violation of the provisions of Section 25F of the Act. He has, therefore, prayed that the Bank be directed to reinstate him with full back wages and continuity of service and other consequential benefits.

3. According to the written statement filed by the Bank the workman was engaged on ad-hoc basis and on daily wage basis due to exigencies of the situation during the period 12.1.2008 to 31.10.2009 and he was paid Rs.80 per day and the amount was credited to his savings bank account and maintained with the branch of the Bank. The workman mainly worked as a canteen boy for serving tea and coffee to staff members and sometimes he cleaned the branch premises. On stray occasions, the services of the workman might have been utilised for filling vouchers etc. The workman was found untrustworthy. The workman committed theft of registers and other documents of the Bank and the Branch Manager filed a complaint against the workman in the concerned Police Station on 2.6.2010. The workman was also passing internal information of the branch to the local people. The name of the workman was not entered into the regular muster maintained at the branch and the days on which he worked were recorded in a kutch register to ascertain the exact number of days for which payment was required to be made to him. The workman was merely engaged on casual basis and on daily wages and he was disengaged when his services were not needed. The Bank denied that the workman completed 240 days of continuous service in the Bank. The Bank also stated that daily wagers were not entitled to the benefit of Section 25-F of the Act. According to the written statement the workman is not entitled to any relief.

4. The workman has filed rejoinder wherein he has reiterated his stand.

5. The workman has filed his affidavit and he has been cross examined by learned counsel for the Bank. The Bank has filed affidavit of Ravindra Narayan Kapole who has been cross examined by learned counsel for the workman.

6. Heard Mr.Kumar Vaidyanathan learned counsel for the workman and Mr.Nadkarni learned counsel for the Bank.

7. Section 25-B of the Act defines continuous service. In terms of sub-section (2) of Section 25-B if a workman during a period of twelve calendar months preceding the

date with reference to which calculation is to be made has actually worked under the employer for 240 days then he will be deemed to be in continuous service. The burden of proof is on the workman to show that he has worked for 240 days in preceding 12 months prior to his termination. It is an admitted fact that the workman worked from 12.1.2008 to 31.10.2009. The workman has stated in his affidavit that he completed more than 240 days of continuous service in the Bank. In view of the above statement of the workman the burden of proof shifted to the Bank to prove that the workman did not complete 240 days of service in the requisite period because the workman did not have access to the official documents, muster rolls etc. in connection with his service. The Bank has not produced any documentary evidence to prove that the workman did not render continuous service for 240 days in the requisite period. If the Bank, despite in possession of the best evidence, does not produce the same then the conclusion must go against the Bank. I am supported by 2009 III CLR 941. In this view of the matter I have come to the conclusion that the workman has completed 240 days of continuous service in the requisite period.

8. The provisions contained in Section 25-F of the Act are applicable even in a case of a daily wager. I am supported by the judgement of Honourable Apex Court reported in 2009 III CLR 941. It is not disputed that the workman was terminated without complying with the provisions of Section 25-F of the Act.

9. It is thus clear from the above discussion that the action of the Bank in dismissing the workman from service is not justified as it is in violation of the provisions of Section 25F of the Act.

10. Now the question is that to what relief the workman is entitled.

11. The workman was a daily wager. His services were terminated w.e.f.1.11.2009. In the facts and circumstance of this matter the relief by way of reinstatement will be wholly inappropriate. In my considered opinion compensation instead of reinstatement will meet the ends of justice.

12. Looking to the length of service of the workman and all other facts and circumstances of the matter. I have come to the conclusion that a compensation of Rs.1,00,000 (one lakh) to the workman by the Bank will be appropriate and will meet the ends of justice. The compensation be paid within two months from today, failing which the same will carry interest @ 9% p.a.

Award is passed accordingly.

Justice G. S. SARRAF, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2014

का.आ. 2471.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे

के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, मुंबई के पंचाट (संदर्भ सं. 10/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-41012/93/2004-आईआर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th September, 2014

S.O. 2471.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.10/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Mumbai as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 08/09/2014.

[No. L-41012/93/2004-IR (B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT : K. B. KATAKE, Presiding Officer

REFERENCE NO. CGIT-2/10 of 2005

EMPLOYERS IN RELATION TO THE MANAGEMENT OF WESTERN RAILWAY

The Divisional Railway Manager (E),
Western Railway, Mumbai Division,
Mumbai Central
Mumbai-400 008.

AND

THEIR WORKMEN.

The President,
Indian Railway Technical Staff Association
2, Mahabir Yadav Chawl
Nagardas Road, Andheri (E)
Mumbai-400 058.

APPEARANCES :

FOR THE EMPLOYER : Ms. Jyoti U. Panwalkar,
Advocate.

FOR THE WORKMEN : Mr. M. B. Anchan, Advocate.

Mumbai, dated the 21st July, 2014.

AWARD PART-I

The Government of India, Ministry of Labour & Employment by its Order No.L-41012/93/2004-IR (B-I), dated 21.10.2004 in exercise of the powers conferred by

clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following industrial dispute to this Tribunal for adjudication:

“Whether the action of the management of Western Railway Administration viz DRM, Western Railway, Mumbai Division, Mumbai in dismissing the services of Shri Lalta Prasad is justified? If not, what relief Shri Lalta Prasad is entitled to?”

1. After receipt of the reference, notices were issued to both the parties. In response to the notice, the second party Union filed its statement of claim at Ex-9. According to them the workman Shri Lalta Prasad working as a Pointsman under the Station Superintendent, Western Railway, Mumbai Central Mumbai. He had proceeded on 10 days sanctioned leave from 8/7/1984 to 17/7/1994 and went to his native place. At his native place he was taken ill and was suffering from mental depression and was taking treatment from Doctor Aslam. As his condition was deteriorating, his wife brought him back to Mumbai and admitted him in Jagjivan Ram Railway Hospital, Mumbai Central. From his native place the workman had informed the office by telephone and had also written a letter to his office about his illness. After coming to Mumbai again he had informed his office by telephone about his illness. On 26/9/1994 he had also sent a registered letter and requested for extension of his leave till his recovery. He was under treatment upto 23/09/1996.

2. On 23/9/1996 he resumed his duties with fitness certificate. Since then he worked till the date of his removal i.e. till 07/12/1997. The workman was served with a charge sheet dt. 18/11/1996 for the alleged misconduct that he remained unauthorisedly absent from 18/7/1994 to 23/09/1996. He was also charged for not informing to the office the reasons regarding his absence from 18/07/1994 to 23/09/1996 and did not get his leave sanctioned from competent authority on proper medical ground and did not observe proper rule for obtaining leave. The inquiry was against the principles of natural justice. The Inquiry Office did not explain to the workman the procedure of departmental inquiry neither asked him to submit his explanation to the charge sheet. He was also not asked to bring defence representative. He was not given the copy of leave record. The workman was not acquainted with English. The I.O. recorded the proceeding in English and closed the inquiry. The I.O. did not give opportunity to submit his written brief. The inquiry was not fair and proper. The findings of the I.O. are perverse. On the basis of report of the I.O., the disciplinary authority of first party terminated the services of the workman. His appeal was also dismissed illegally.

3. The workman therefore raised industrial dispute before ALC. As conciliation failed on the report of ALC, the Central Labour Ministry has sent the reference to this Tribunal. The workman therefore prays that the inquiry

be declared not fair and proper and findings of the I.O. be declared perverse. The order of first party terminating the service of the workman be set aside and the workman be reinstated in service with full back wages.

4. The first party Management resisted the statement of claim vide its written statement at Ex-10. According to them, the workman was working as Pointsman with the Railway Administration. The category of Pointsman is declared as Safety Category Post as per the extent rules. A person appointed on the safety category post is imparted with the field training related with the safety of the train operations. As such workman is required to work with the Station Master. Once a technical person is allotted or posted on a particular station, the said work cannot be assigned to another untrained person and if the trained person is remaining absent the functioning of railway working would affect tremendously. The workman despite working as Pointsman remained absent without following due procedure of leave for a long period of 799 days from 08/07/1994 to 23/09/1996. He never bothered to see that he should be punctual in his attendance. The workman was imposed penalty of removal from service after following the procedure under R.S. (D & A) 1966 and his appeal as well as revision application have been dismissed by the Competent and Revisionary Authority.

5. The workman had never given any application to the management for extension of leave. There was no intimation about his sickness and workman failed to observe proper medical rules for taking leave on the ground of sickness. Therefore workman was charge sheeted and Inquiry Officer was appointed. The Inquiry Officer has explained the charges to the workman. He examined the witnesses of the management in presence of the workman. Workman was given full opportunity to cross-examine the witnesses of management. Copies of all the papers relied upon were supplied to the workman. Workman cross-examined the witnesses of management. Opportunity was also given to the workman to lead his evidence, oral and documentary and after hearing him and after following the procedure, Inquiry Officer has submitted his report. Copy of the report was sent to the workman. After giving him hearing, the disciplinary authority has awarded the punishment of termination, which is quite just and proper. The inquiry was fair and proper. The findings of the I.O. are based on the evidence on record and the punishment of termination was proportionate to the proved misconduct. Therefore the first party prays that reference be dismissed with cost.

6. The second party workman filed his rejoinder vide Ex-12. He denied all the allegations in the written statement and reiterated the contents in his statement of claim.

7. Following are the preliminary issues for my determination. I record my findings thereon for the reasons to follow:

Sr. No.	Issues	Findings
1.	Whether the inquiry is fair and proper?	Yes.
2.	Whether the findings of the Inquiry Officer are perverse?	No.
3.	What order?	As per final order.

REASONS

Issue No. 1 :—

8. In this respect the Id. adv. for the second party submitted that the Inquiry Officer did not explain the procedure of departmental inquiry to the workman. The second objection is that the I.O. did not ask the workman to appoint defence representative. Another objection is that the first party did not produce the leave record of the workman in the inquiry. The last objection of second party is that the I.O. recorded the inquiry proceeding in English.

9. The Id. adv. for the first party submitted that the workman was served with charge sheet dt. 18/11/1996 and domestic inquiry was initiated against him in which he had participated. The I.O. has conducted the inquiry as per the principles of natural justice. The second party was given full and fair opportunity to defend himself. He was given opportunity to cross-examine the management witness and also permitted to adduce his evidence in the inquiry. He was given the copies of the documents filed in the inquiry proceeding by the first party and also allowed to file his documents. The I.O. conducted the inquiry in Hindi and recorded the proceedings partly in Hindi and partly in English. The copy of Report and findings of I.O. was sent to the workman before his dismissal.

10. In this respect the Id. adv. for the first party pointed out that the workman in his cross-examination (Ex- 17), has admitted that he participated in the inquiry and the charges were explained by the Inquiry Officer and he understood the same. He also admitted that he did not bring his defence representative in spite of declaration to that effect by the first party. He also admitted that the inquiry proceedings were recorded in his presence and that the evidence of management witnesses was also recorded in his presence. He further admitted in his cross that he has cross-examined the management witnesses and the management had offered inspection of the documents produced in the inquiry proceeding.

11. In this backdrop the Id. adv. for the first party submitted that the I.O. has conducted the inquiry as per the principles of natural justice and as per the procedure prescribed therefor. In support of his argument the Id. adv. resorted to Apex Court ruling in *Sur Enamel and Stamping Works Ltd. V/s. Their Workmen 1950-1967 SCLJ 1466 SC* wherein the Hon'ble Apex Court laid down the

following conditions for fair and proper domestic inquiry. They are:

- (1) The employee proceeded against has been informed clearly of the charges leveled against him.
- (2) The witnesses are examined-ordinarily in the presence of the employee in respect of the charges
- (3) The employee is given a fair opportunity to cross examine witnesses.
- (4) He is given a fair opportunity to examine witnesses including himself in his defence if he so wishes on any relevant matter and
- (5) The Inquiry Officer records his findings with reasons for the same in his report.

12. In the light of guidelines of the Apex Court all the points were complied with by the Inquiry Officer i.e. the inquiry was conducted in presence of the workman. Copies of all the documents produced in the inquiry proceeding were given to him. He was given opportunity to cross examine the management witnesses. The Id. adv. for the workman has further submitted that, management neither produced the leave record of the workman nor given copies thereof to him. On the point it is rightly submitted on behalf of the first party that, the fact is not disputed that the workman was unauthorisedly absent from 18/07/1994 to 23/09/1996. Neither there was dispute of balance leave nor leave account was necessary in the inquiry proceeding. Therefore question of producing leave record or giving copies thereof to the workman does not arise. The fact is not disputed that copies of all the documents produced in the inquiry proceeding were supplied to the workman.

13. In respect of recording of proceeding in English it was rightly pointed out by the Id. adv. for the first party that the inquiry was conducted in Hindi, the language known to the workman and the proceeding thereof was recorded in English. Therefore it cannot be called illegal or improper. On the point Bombay High Court ruling can be resorted to in National Organic Chemicals Ltd. & Ors. V/s. Pandit Ladaku Patil 2008 III CLR 716 wherein the inquiry was conducted in Marathi and the evidence was recorded in English. The Hon'ble Court held that, the inquiry cannot be quashed for following such a procedure of recording evidence in English. In the circumstances I come to the conclusion that the inquiry was fair and proper. Accordingly I decide this issue No.1 in the affirmative.

Issue No. 2 :—

14. In respect of the findings of the Inquiry Officer it is vaguely contended that they are perverse. However details thereof are not given as to how they are perverse. On the other hand the findings of the I.O. are found to be in consonance with the evidence on record i.e. the workman was absent from 18/7/1994 to 23/09/1996 and neither he had obtained leave nor applied therefor. In short findings are based on the evidence on record. Thus I hold that the

findings of the I.O. are not perverse. Accordingly I decide this issue No. 2 in the negative and proceed to pass the following order:

ORDER

- (i) The inquiry is held fair and proper.
- (ii) Findings of the Inquiry Officer are not perverse.
- (iii) The parties are directed to argue/lead evidence on the point of quantum of punishment.

Date: 21/07/2014

K. B. KATAKE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2472.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डिपार्टमेंट ऑफ टेलीकम्यूनिकेशन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/ एलसी/आर/337/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-40012/278/99-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2472.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/337/99) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of the Department of Telecommunication and their workman, which was received by the Central Government on 08/09/2014.

[No. L-40012/278/99-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/337/99

PRESIDING OFFICER : SHRI R. B. PATLE

Shri Jagdishchandra Rathore,
S/o Aathmaram Rathore,
Vill. Nenavath,
Tehsil Tarana,
Distt. Ujjain

.....Workman

Versus

Chief General Manager,
Deptt. of Telecommunication,
Hoshangabad Road,
MP Circle,
Bhopal (MP)

.....Management

AWARD

Passed on this 22nd day of August, 2014

1. As per letter dated 19-11-99 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I.D. Act, 1947 as per Notification No. L-40012/278/99-IR(DU) The dispute under reference relates to :

“Whether the action of the management of Chief General Manager Telecom and their workman Shri Jagdishchandra Rathore S/o Aathmaram Rathore w.e.f. 26-3-99 is legal and justified? If not, to what relief the workman is entitled?”

2. After receiving reference, notices were issued to the parties. 1st party workman submitted statement of claim at Page 2/1 to 2/4. Case of workman is that he was engaged as labour by IInd party No. 4 from November, 1989. IInd party No. 3 is authority for sanctioning payment of salary and allowances. IInd party No. 2 is controlling authority. IInd No. 1 is implementing the policy. Workman was engaged as casual labour as large number of casual labours were engaged by IInd party on daily wages. Their services were not regularized. Petition was filed in statement of claim. Hon'ble Apex Court had given directions for framing scheme for regularization for casual employees. It is submitted that workman was continuously working from 7-11-1989 as his services were not regularized as per scheme for regularization of casual employees, the casual employee working as on 30-3-85 was entitled for regularization of his services. Workman was not given its benefit. His services were terminated on 31-3-99 without any notice or without paying retrenchment compensation, termination of his service is in violation of Section 25 of I.D. Act. Workman had completed 240 days continuous service. Oral termination of his services is illegal. That workman was paid Rs. 1500 per month. He was not paid regular pay scale. IInd party exploited workman. On such ground workman is praying for his regularization and reinstatement with consequential benefits.

3. IInd party initially filed written Statement at Page 3/1 to 3/2 signed only by the counsel for management. Written Statement duly verified is filed by management on 22-3-13. Claim of workman is totally denied. As per management. Workman was not appointed as casual labour from November, 1989 by Sub-Divisional Engineer. That workman did not work with IInd party. There was no question of termination of his service. There was no question of issuing notice or payment of retrenchment compensation. Workman not worked for 240 days in any of the calendar years. There was no question of retrenchment of his service. Workman never worked in the Sub-division. There was no question of regularization of his service. On such ground, IInd party prays that reference is answered in favour of management.

4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below :—

- | | |
|--|---------------------|
| (i) Whether the action of the management of Chief General Manager Telecom and their workman Shri Jagdishchandra Rathore S/o Aathmaram Rathore w.e.f. 26-3-99 is legal and justified? | In Negative |
| (ii) If not, what relief the workman is entitled to?” | As per final order. |

REASONS

5. Terms of reference relates to action taken by management against workman from 26-3-99, some word is missing. In his statement of claim, workman has pleaded that his services were terminated by IInd party from 31-3-99. IInd party had denied all material contentions of workman. Workman filed affidavit of his evidence contending that his services were terminated in 1999. He was not paid retrenchment compensation. He was continuously working 1987 to 1999. He completed 240 days continuous service. His services were terminated in violation of Section 25 H, G of I.D. Act. In his cross-examination, workman says his affidavit is drafted in English and not in Hindi. Some mistake was committed. He has stated in his affidavit that he was working till 1998 again says 1999. Workman again corrected that he was working with IInd party till 1990. Management's witness Deewakar Jain in his affidavit of evidence says that as per record available workman was never engaged by management. The claim for regularization of workman is baseless. In his cross-examination, management's witness says that at Sohagpur office, record of casual mazdoor was maintained. Again he corrected that he doesnot know whether record of casual mazdoor was maintained in said office. Management's witness in his further cross-examination says he doesnot know whether at the time in question, casual mazdoors were engaged by the department of IInd party. The witness of management is working on the post of SDE Legal. He looks after cases of the department. He has no knowledge of casual labours engaged in department during 1990 to 1991.

6. 1st party had given application for production of documents dated 26-6-03. IInd party did not produce documents as per said application. Despite of time requested for production of documents, as per the orders, the evidence of workman and management's witness is carefully appreciated. Management's witness has no knowledge about casual employees engaged in the department. On application submitted by workman for production of documents, the documents are not produced by management. The material documents are withheld by

the management. Under such set of facts, the evidence of workman deserves to be accepted instead of the evidence of management's witness. The evidence of workman is clear that his services were terminated without notice, he was not paid retrenchment, he was continuously working since November 1989 till 31-3-99. Therefore termination of service of workman is illegal. For above reasons, I record my finding in Point No.1 in Negative.

7. Point No.2- In view of my finding in Point No.1, termination of service of workman is in violation of Section 25-F of I.D. Act, question arises whether workman is entitled for reinstatement. As per pleadings of the workman, he was not working in 1985 therefore workman is not entitled for benefits of scheme for regularization of casual employees. Considering length of service rendered by workman reasonable compensation deserves to be awarded. Compensation Rs. One Lakh would be reasonable. Accordingly I record my finding in Point No. 1.

8. In the result, award is passed as under:-

- (1) The action of the management of Chief General Manager Telecom and their workman Shri Jagdishchandra Rathore S/o Aathmaram Rathore w.e.f. 26-3-99 is not legal.
- (2) IInd party is directed to pay compensation Rs. One Lakh to the workman within 30 days from the date of publication of award.

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9% interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2473.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डिपार्टमेंट ऑफ टेलीकम्यूनिकेशन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/ एलसी/आर/192/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-40012/80/92-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2473.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/192/93) of the Central Government Industrial

Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecommunication and their workman, which was received by the Central Government on 08/09/2014.

[No. L-40012/80/92-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/192/93

PRESIDING OFFICER : SHRI R. B. PATLE

Shri Beduram,
S/o Shri Tanguram,
Sakin Pandaria,
Tehsil Takhatpur,
Distt. Bilaspur

.....Workman

Versus

Divisional Officer (Telegraphs),
Department of Telecommunication,
PO & Distt. Bilaspur

.....Management

AWARD

Passed on this 14th day of August, 2014

1. As per letter dated 17-9-93 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D. Act, 1947 as per Notification No.L-40012/80/92-IR(DU). The dispute under reference relates to:

“Whether the action of the management of SDO (Telegraphs) Bilaspur in retrenching Shri Bedu Ram, S/o Shri Tangu Ram w.e.f. 10-10-90 is justified? If not, to what relief he is entitled to?”

2. After receiving reference, notices were issued to the parties. Workman submitted statement of claim at page 2/1 to 2/3. Case of workman is that he was employed with IInd party from 17-9-81 to 15-10-90. He was continuously working as casual labour. His services were terminated without enquiry. He further submits that termination of his service was on the ground of unauthorized officers for more than six months i.e. January, 1985 to May, 1988 the period of 3 years 6 months. One month's notice pay Rs.1035 and Rs.517 as retrenchment compensation were paid. Workman further submits that DO letter of General Manager dated 12-1-90 is clear that workman completed 240 days continuous service becomes ordinary mazdoor/confirmed. The reasons assigned in termination order is not sustainable. Workman was not absent. He was working

with IInd party. Workman instead of regularization was terminated from service. That termination of his service is in violation of Section 25-H of I.D. Act and the provisions of Contract Labour (R&A) Act 1970. On such ground, workman is praying for reinstatement with consequential benefits.

3. Further statement of claim is submitted by workman at Page 6/1 to 6/2 reiterating his contentions about his appointment, that provisions of Section 25 N are applicable.

4. IInd party filed Written Statement at Page 9/1 to 9/3. Relief claimed by workman is denied. IInd party has shown working days of workman from 1981 to 1990, 1991. It is submitted that the workman did not worked continuously. He remained unauthorized absent therefore one month's pay was paid to him in lieu of notice and his services were dispensed with.

5. It is reiterated that for unauthorised absence from duty, services of workman were dispensed. Workman did not continuously worked for 240 days during 1989-90. Workman cannot claim status of regular employee. That the workman was engaged purely on temporary basis. He is not entitled to the relief claimed by him. There was no question of giving artificial break to the workman.

6. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|--|--|
| (i) Whether the action of the management of SDO(Telegraphs) Bilaspur in retrenching Shri Bedu Ram, S/o Shri Tangu Ram w.e.f.10-10-90 is justified? | In Affirmative |
| (ii) If not, what relief the workman is entitled to?" | Workman is not entitled to any relief. |

REASONS

7. Workman is challenging termination of his service on the ground that he was terminated for unauthorized absence without holding enquiry. He was paid one months pay and retrenchment compensation.

8. Workman filed affidavit of his evidence covering above contentions in statement of claim. However workman failed to appear for his cross-examination. Evidence of workman was closed on 24-8-09. As workman failed to appear for his cross-examination, his evidence cannot be accepted.

9. Management filed affidavit of witness Shri I.S.Xalxo supporting contentions of management. Evidence of management's witness remained unchallenged. Workman failed to cross-examine the management's witness. evidence of workman cannot be accepted as he failed to appear for cross-examination. Evidence of management's

witness remained unchallenged. I find no reason to discard his evidence therefore the contentions of workman cannot be accepted. For above reasons, I record my finding in Point No.1 in Affirmative.

10. In the result, award is passed as under :—

- (1) The action of the management of SDO(Telegraphs) Bilaspur in retrenching Shri Bedu Ram, S/o Shri Tangu Ram w.e.f.10-10-90 is proper and legal.
- (2) Workman is not entitled to any relief.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2474.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डिपार्टमेंट ऑफ टेलीकम्यूनिकेशन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/102/05) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-40012/45/2005-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2474.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/102/05) of the Central Government Industrial Tribunal cum Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecommunication and their workmen, which was received by the Central Government on 08/09/2014.

[No. L-40012/45/2005-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/R/102/05

PRESIDING OFFICER : SHRI R. B. PATLE

Shri Rakesh Patel,
S/o Shri Pyarelal Patel,
Telephone Exchange,
Shahdol

.....Workman

Versus

Chief General Manager,
Deptt. of Telecommunication,
BSNL Hoshangabad, MP Circle,
Bhopal (MP)

.....Management

AWARD

Passed on this 1st day of August 2014

1. As per letter dated 26-9-05 by the Government of India, Ministry Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D. Act, 1947 as per Notification No.L-40012/45/2005-IR(DU). The dispute under reference relates to :

“Whether the action of the TDE, Telecom, Mandla in terminating the services of Shri Rakesh Kumar Patel instead of regularizing him (as he completed 240 days) and not complying provisions of Industrial Dispute Act, 1947 is legal and justified? If not, to what relief the concerned workman is entitled?”

2. After receiving reference, notices were issued to the parties. 1st party workman submitted his statement of claim. Case of 1st party workman is that he was initially appointed on 1-6-85 by IInd party. He continuously worked till 1-12-1990. It is submitted that instead of regularizing his services, IInd party arbitrarily terminated his services from 1-12-90. That workman had completed 240 days continuous service. His termination without assigning reason amounts to retrenchment under Section 2(oo) of I.D.Act. His services are terminated in violation of Section 25-F of I.D.Act is illegal. Workman submits that from 1-6-85 to 1-12-90, he was continuously working. He acquired status of employee under Section 25 B of I.D. Act. It is reiterated that his services are terminated without notice, without paying retrenchment compensation in violation of Section 25 of I.D. Act. On such ground, he prays for reinstatement with back wages.

3. IInd party filed Written Statement opposing claim of workman. IInd party submits that workman has not completed 240 days. His name is not recorded in muster roll. Management did not appoint workman. There was no question of his regularization or termination. It is reiterated that as workman has not completed 240 days continuous service, there was no question of violation of provisions of I.D.Act. Workman is not covered under Section 25 B of I.D.Act, the contentions of workman are false. Workman does not come within the aspect and scheme of judgment of Supreme Court dated 27-10-87. On such ground, IInd party prays for rejection of claim.

4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below :

- | | |
|---|--|
| (i) Whether the action of the TDE, Telecom, Mandla in terminating the services of Shri Rakesh Kumar Patel instead of regularizing him (as he completed 240 days) and not complying provisions of Industrial Dispute Act, 1947 is legal and justified? | In Affirmative |
| (ii) If not, what relief the workman is entitled to?” | Workman is not entitled to any relief. |

REASONS

5. Workman is challenging termination of his service for violation of Section 25-F of I.D. Act contending that he completed 240 days continuous service. In support of his claim, workman filed affidavit. However he failed to appear for his cross-examination. Evidence of workman was closed on 3-8-2012.

6. Management filed affidavit of evidence of witness Shri A.K. Sahu. workman failed to participate and cross-examine the witness of management. Thus the claim of workman is not supported by evidence. Evidence of management's witness remained unchallenged, I find no reason to discard his evidence.

7. Learned counsel for workman relies on ratio held in case of Shamsuddin versus State of MP reported in 2007(III) MPWN 111. In case of Batala Coop. sugar Mills Ltd. Versus Sowaran Singh reported in 2005(8) Supreme Court Cases 481. In fact the claim of 1st party is supported by evidence, detailed discussion of ratio held in all those cases is not necessary. For absence of evidence, I record my finding in Point No.1 in Affirmative.

8. In the result, award is passed as under:-

- (1) The action of the TDE, Telecom, Mandla in terminating the services of Shri Rakesh Kumar Patel instead of regularizing him is legal and proper.
- (2) Workman is not entitled to any relief.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2475.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार असिस्टेंट सुपरिन्टेन्डेंट, टेलीग्राफ ट्रैफिक, बिलासपुर प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/ एलसी/आर/142/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-40012/122/92-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2475.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/142/93) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Asstt. Suptd., Telegraph Traffic, Bilaspur and their workmen, received by the Central Government on 08/09/2014.

[No. L-40012/122/92-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****NO. CGIT/LC/R/142/93****PRESIDING OFFICER : SHRIR .B. PATLE**

Shri Itwari Prasad Gond,
C/o Shri Shivilal Gond,
Gram. Kisan Parsada,
Post Jhairam Nagar,
Distt. Bilaspur

....Workman

Versus

Asstt. Suptd.,
Telegraph Traffic,
D.F.O.
PO & Distt. Bilaspur

.....Management

AWARD

Passed on this 30th day of July 2014

1. As per letter dated 21-7-93 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-40012/122/92-IRDU. The dispute under reference relates to:

“Whether the action of the management of Asstt. Suptd. Telegraph Traffic, DTO Bilaspur in terminating the services of Shri Itwari Prasad Gond, S/o Shri shivilal Gond w.e.f. 7-8-90 is justified? If not, what relief he is entitled to?”

2. After receiving reference, notices were issued to the parties. Workman submitted statement of claim at Page 3/1 to 3/2. Case of workman is that he was appointed as telegraph man in Telegraph office, Bilaspur. On 13-2-85, he was continuously working in D.T.O, Bilaspur upto 7-8-90. He was terminated without notice. He was not paid retrenchment compensation. He had worked 125 days in 1985, 337 days in 1986, 336 days in 1987, 317 days in 1988, 349 days in 1989, 223 days in 1990 & 103 days in 1991. Workman submits that termination of his service is in violation of Section 25-F of I.D.Act. On such ground, he prays for reinstatement with back wages.

3. IInd party filed Written Statement at Page 6/1 to 6/2. IInd party submits that workman has not depicted correct picture. The false ground are shown. Workman was employed as casual labour who could be given the work of telegraph in absence of telegraph man or delivery man, if such work was available. He was paid wages Rs. 28.25 per day. It is denied that as per instructions dated 12-1-90, it was not possible to provide status of casual labour to the Ist party. The working days is shown in statement of claim of Ist party during 1985 to 1991. It is admitted to be correct. IInd party however denies that termination of his

service is in violation of Section 25-F of I.D. Act. IInd party prays for rejection of claim.

4. Workman filed rejoinder at Page 7/1 to 7/3 reiterating its contentions in statement of claim. That he was discharging work of telegraph man and not as casual labour. Workman was delivering telegram and he was assured monthly salaries. He continuously worked during 1985 to 1991. His services are terminated without notice. Workman prays for his reinstatement.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|--|---------------------|
| (i) Whether the action of the management of Whether the action of the management of Asstt. Suptd. Telegraph Traffic, DTO Bilaspur in terminating the services of Shri Itwari Prasad Gond, S/o Shri shivilal Gond w.e.f. 7-8-90 is justified? | In Negative |
| (ii) If not, what relief the workman is entitled to?" | As per final order. |

REASONS

6. Workman is challenging termination of his service from 7-8-90 for violation of Section 25-F. that he was continuously working from 1985 to 1991. The working days given in para-3 of statement of claim are admitted by IInd party. Workman filed affidavit of his evidence. The working days are shown in para-3 of affidavit. Working days of workman during 1986 to 1989 are shown more than 240 days. The services of workman were terminated without notice. The documents Exhibit W-4 shows workman was continuously working from 1-8-85 to 1-1-1990 without any break. Thus the evidence of workman is supported that he completed more than 240 days continuous service during above period. In his cross-examination, workman denies that he was engaged as casual labour. He also denies that after appointment of permanent employee, his services were terminated. The evidence of management's witness Shri M.R. Dhurv is on the point that workman was engaged on casual basis as deliveryman in absence of permanent incumbent on wages Rs. 28.25 per day. Workman had not completed 240 days continuous service. Management's witness in his cross-examination says as per the department's letter he says that workman was engaged as casual labour. Said letter is produced on record. Letter was issued by Shri R.P.Srivastava, Divisional Engineer Exhibit M-1. Management's witness further says that any document was not found, that workman worked for more than 240 days during an year. When working days are admitted in Written Statement filed by workman, the evidence of management's witness contrary to it cannot be accepted. The evidence shows workman worked more

than 240 days during 1985 to 1990. His services were terminated without notice in violation of section 25-F of I.D.Act. Therefore I record my finding in Point No.1 in Negative.

7. **Point No. 2** Termination of workman is in violation of Section 25-F of I.D.Act. his services were terminated long back in 1991. Workman was working since 1985 to 1991. Considering length of service, workman cannot be allowed reinstatement with full back wages. Termination in violation of Section 25-F would justify reasonable compensation to the workman. In my considered view, compensation Rs.1,50,000/- would be appropriate in the matter. Accordingly I record my finding in Point No.2.

8. In the result, award is passed as under:-

(1) The action of the management of Asstt. Suptd. Telegraph Traffic, DTO Bilaspur in terminating the services of Shri Itwari Prasad Gond, S/o Shri shivlal Gond w.e.f. 7-8-90 is proper and legal.

(2) Ind party is directed to pay compensation Rs.1,50,000/- to the workman Shri Itwari Prasad Gond.

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9 % interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2476.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार गन कैरिज फैक्ट्री, जबलपुर के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/39/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-14012/19/89-डी-2 (बी)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2476.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/39/90) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Gun Carriage Factory, Jabalpur and their workmen, received by the Central Government on 08/09/2014.

[No. L-14012/19/89-D-2 (B)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/39/90

PRESIDING OFFICER : SHRI R. B. PATLE

Shri K.Dutta,
Vice President,
GCF Labour Union,
Q.No.489, Byoharbagh,
Jabalpur (MP)

.....Workman

Versus

General Manager,
Gun Carriage Factory,
Jabalpur

....Management

AWARD

Passed on this 30th day of July 2014

1. As per letter dated 31-1-90 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-14012/19/89-D-2(B). The dispute under reference relates to:

“Whether the action of the management of Gun Carriage Factory, Jabalpur in compulsory retiring Shri K.Dutta, Ex.Labour, GCF w.e.f. 21-1-1988 is legal and justified? If not, to what relief the workman is entitled to?”

2. After receiving reference, notices were issued to the parties. Ist party workman filed statement of claim at Page 3/1 to 3/11. Case of workman is that the penalty of removal from service by Chairman Ordnance Factory, Calcutta modified to compulsory retirement as per order dated 22-1-88 is illegal. Workman submits details of his service. He was selected as Artisan Training in the year 1963. After 4 ½ years training including one year journey manship at Gun and Shell Factory, he was appointed as Turner A Grade. In 1968 he was transferred to GCF by the Director General, Ordnance Factory, Calcutta. In 1973, he was promoted on the post of Supervisor Grade B. workman further submits that he was active member of Trade Union during 1971 to 1974. Workman was President, General Secretary of union, GCF Mazdoor Sangh. Union was holding majority of seats in Committee during 1974 to 1978, 1980 during his tenure. That he raised grievances of the employees in the matters of work system, promotion policy activities, corruption etc. suddenly he was transferred to Abadi, Madras in 1977. He also submits that he was placed under suspension on false charges. The suspension was continued for 20 months even after completion of enquiry. Workman says that he was victimized by the management. Because of his Union activities, he was suspended time to

time by General Manager Shri Narashhimhan. That in August 1981 at instance of General Manager Shri Narashhimhan, new General Manager directed to issue chargesheet against him on fabricated charges. That the charges pertained to LTC advance in 1974. Chargesheet was issued after more than 7 years. It suffered from latches. Even after issuing chargesheet, enquiry was conducted after 5 years diminishing the chance of defence. Departmental enquiry was started after 5 years in 1986. More than 9 Defence witness retired or expired, some of them transferred from Jabalpur. Several important documents requested by him were not produced. On many occasions, further cross-examination of management's witnesses was stopped for absence of documents or its production. Workman says that he had applied for appointment of legal practitioners for his defence. His application was not allowed. Enquiry was conducted in violation of principles of natural justice. Workman further submits that the documents were not proved by examining any witnesses. His signatures on his application for advance of LTC was not proved. Handwriting expert was not appointed. He was not provided copy of documents to enable him to take proper defence. Workman had called for several documents. His request was not allowed. The witnesses submitted for his defence were not called. Several witnesses were not examined. Out of 5 witnesses of management, 3 witnesses denied their statements. Findings of Enquiry officer are perverse not supported by cogent evidence. Enquiry Officer not followed the rules of proving of documents. Mere production of documents cannot be said proved. On such contentions, workman has submitted that enquiry conducted against him is in violation of the procedure of principles of natural justice, finding is perverse. On such ground, workman prays for his reinstatement with back wages.

3. IInd party filed Written Statement at Page 6/1 to 6/3. IInd party submits that on basis of report of false LTC claim by the workman, CBI officials visited his house for investigation. The report of false claim of LTC during the year 1974 by workman T.No.1054/NIE Supervisor B WIS GCF Jabalpur was received. Workman was issued memorandum under Rule 14 of CCS(CCA)Rules 1964. Workman was appointed as Turner A after completion of 4 ½ years training. He was posted in GCF Jabalpur and later promoted as Supervisor B. The articles of charges against workman was while working as supervisor in W-I Section, he failed to maintain absolute integrity and committed gross misconduct. He claimed false LTC Bill dated 30-9-74 amounting to Rs.100.60 for himself and his wife for Jabalpur to Hawda. That T.No. 27456 & 27457 were reserved in name of Shri Sen Gupta and Mrs. S.Ghosh and for return journey said workman quoted ticket No. 1267 & 1271. When he could not have performed the said journey with his wife as the workman was not married at that time. He grossly contravened Rule 3(i) of CCS Conduct

Rules 1965. The chargesheet was issued to workman. He did not accept the allegations. Enquiry Officer M.Venkataraman was appointed. Mr. S.N.Saxena was appointed as Presenting Officer. On transfer of Shri M.Venkataraman, Shri B.K. Sharma GCF Manager was appointed as Enquiry officer. On his transfer Mr. U.C.Saxena was appointed as Enquiry Officer and Shri A.Srinivasan as Presenting Officer.

4. IInd party submits that workman was not married at relevant time. The enquiry was conducted as per rules. Punishment of removal was imposed against workman. Considering the evidence and gravity of proved charges, IInd party prays for rejection of claim.

5. Workman filed rejoinder at page 9/1 to 9/3 reiterating its contentions in Statement of claim. That the enquiry was not properly conducted, he was not supplied documents. The witnesses were not called for his defence. All other adverse contentions of IInd party has been denied.

6. As per order dated 12-12-2001 my predecessor dealing with preliminary issue regarding validity of DE conducted against workman held workman admitted in his application dated 7-9-01 that DE conducted in proper manner. In view of this admission, it is held that the Departmental enquiry was conducted against the workman in a just and proper manner. Management was not required to lead evidence to prove alleged misconduct of workman.

7. The award was passed by my learned predecessor on 18-2-02 against management and in favour of workman. Order of compulsory retirement dated 22-1-88 passed by management was quashed. Workman was directed to reinstatement with back wages with consequential benefits of his post, continuity of service was also allowed.

8. Above award passed by my predecessor was challenged by management filing Writ Petition No. 3400/2002. Hon'ble High Court allowed Writ Petition and award was set aside. The matter is remanded for re-deciding afresh according to law allowing parties to adduce evidence as per judgment dated 11-5-06.

9. After remand of the matter, my predecessor framed issue on 10-7-07. Issue No.1 is whether DE conducted by management against workman is proper and legal. If not, whether the management be permitted to prove the misconduct. (2) To what relief the workman is entitled ?

10. At the time of argument, it was emphasized by workman Shri K.Dutta that Hon'ble High Court has quashed the award the matter needs to be decided on merit including the point whether enquiry conducted against workman is legal? Considering above aspects and submissions advanced, points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|---|---------------------|
| (i) Whether enquiry conducted against workman is legal and proper? | In Affirmative |
| (ii) Whether the misconduct alleged against workman are proved from evidence in Enquiry proceedings? | Not proved |
| (iii) Whether the punishment of compulsory retirement imposed by Appellate Authority is proper and legal? | In Negative |
| (iv) If not, what relief the workman is entitled to?" | As per final order. |

REASONS

11. **Point No.1-** Enquiry conducted against workman was found proper and legal by my predecessor as per order sheet dated 12-12-2001. The application dated 7-9-01 was submitted by the workman admitting that the DE conducted against workman is in proper manner. Workman filed affidavit of evidence dated 30-8-07. Affidavit is silent w.r.t. above point that workman had submitted application admitting enquiry conducted against him was proper. The award passed by my predecessor was challenged in Writ Petition no.3400/2002 by the management. The reading of the judgment by Hon'ble High Court in above Writ petition shows that the enquiry conducted against workman was found legal by my predecessor was not challenged by the management. The award was challenged mainly on the ground that by allowing claim of workman, it was observed that documents relating to LTC were not proved as such charges could not be proved. Hon'ble high Court said that zerox copies of such documents were produced on record. Therefore the matter was remanded back to decide the matter. The workman has submitted exhaustive note of argument, his notes are silent about the order dated 12-12-2001 by my predecessor observing that workman admitted in his application dated 7-9-01 DE conducted against him was in proper manner. Workman himself admits that enquiry conducted against him was proper. The Hon'ble High Court has not specifically set aside said finding. Only the directions are given to re-decide the matter. I donot find any reason to take different view for deciding legality conducted against workman. The application was submitted by workman admitting enquiry was properly conducted. Therefore I record my finding on Point No.1 in Affirmative.

12. **Point No. 2, 3-** In view of my finding on Point No.1 as applicant had admitted enquiry conducted against him as proper, the question remains for decision is whether the charges of misconduct alleged against workman are proved from evidence in Enquiry Proceedings, whether the punishment of compulsory retirement is proper and legal. Workman has filed affidavit of his evidence at Page

32/1 to 32/9. His affidavit is devoted that enquiry conducted against him was not proper, his defence was prejudice. Document 8 to 11 were in custody of Enquiry Officer. List of 16 witnesses was submitted. Workman was denied opportunity to cross-examine the witness was prejudiced. The evidence of workman remained unchallenged. Workman was not cross-examined by management. Management filed affidavit of evidence of its witness Chumdemo Ngullie. He has stated that workman availed 15 days leave and availed LTC to his hometown for self and wife for the block year 1972-73. That enquiry was conducted by Shri Saxena. Workman was found not fit for service and punishment of dismissal was imposed against him. The evidence in cross-examination of management's witness shows management's witness is posted from 2012. He has no personal knowledge about the workman. He submitted affidavit on the basis of documents. Management's witness did not give reply as to who was appointing authority of workman in 1981. The witness of management was unable to tell whether Director General of Ordnance Factory was appointing authority for the post of supervisor. He was unable to tell whether chargesheet issued against workman was drafted by other agencies. To be precise the evidence of management's witness is hearsay. The legal position is settled when enquiry is found legal, only evidence in Enquiry proceedings needs to be considered for deciding whether the charges are proved. Unless enquiry is vitiated or found illegal, no evidence is produced to prove misconduct alleged against workman. In view of above, only evidence in Enquiry proceedings needs to be considered in order to decide whether charges against workman are proved. Exhaustive written notes of argument is submitted by workman also stating ratio held in various cases. However those many citations are not submitted for my perusal. The notes of argument are more in academic nature. There is no dispute that only six witnesses are examined in the Enquiry proceedings. Evidence of MW-1 Shri Kosta is from page 173 to 187. He appears to be the star witness in the Enquiry Proceedings. His evidence shows that he had received application for LTC advance dated 10-1-1974, GCF form No. 642, surety is given by R.P.Vishwakarma, leave application of Shri K.Dutta dated 27-12-73, order dated 7-1-74 permitting Shri K.Dutta for availing LTC, LTC Advance Bill dated 11-1-74, Final LTC Claim Bill No. 7656-dated 30-9-74 for Rs.32.60. It was forwarded to the cash office for payment. That he sent two certificates alongwith final claim. One certificate related to certifying the details of the family performing the journey and the destination of journey. Second certificate relates to the details of factory order for onward and return journey which is signed by the Administrative Officer concerned. In reply to Q.6, he says the amount of Rs.68/- only. In his further evidence, MW-I says those documents and statement of Shri Kosta given during preliminary enquiry was examined by the Defence Counsel. In his cross-examination Mr. Kosta says

he had given statement on 3-10-79. No one asked him to give statement. The statement was recorded in GCF factory. The statement was given in duty hours. He had given statement at the place of duty, no third person was there. His boss Shri Shukla told him to go and give statement. Any one was not present and his statement was given. He write his statement by hand. He was not shown handwritten statement. In reply to Q.17, MW-1 Kosta says he did not tally list of dependents and hometown of the delinquent. It was done by the establishment section. In reply to Q.23, MW-I claims ignorance about any proof but it was true copy of the statement given before CBI Inspector. In reply to Q.27, after seeing Exhibit P-5 he says he filed Exhibit P-5 seeing Exhibit P-1- application for advance. That the block year was ascertained by seeing application. The witness admits that application for advance of LTC was received on 10-1-1974. In reply to Q.31, witness says application for advance was received in the office by time keeper and time keeper gave to incharge. Incharge gave it to concerned man. Sometimes application is brought by the individual himself. The entire evidence of MW-I Kosta doesnot show that application for advance was signed by delinquent in his presence. The delinquent has mentioned about his wife in the application.

13. Further cross-examination of witness No. 1 Kosta as LDC working in preparation of LTC Bill, it was his duty to compile the application and bills to kept in one place. Inspector CBI was asking question from him and he was replying the question. The same was written by him on piece of paper. The statement recorded by CBI Officer is not seen in Enquiry Proceedings. In reply to Q.39, he says application for NIEs in question (Exhibit P-1) not filled by him but P-5 is 100 % filled by him. In reply to Q.40, he says in the application portion, he was taking the signature after preparing the bill from the applicant. In case he fails to write is designation etc, the same is completed by him according to Exhibit P-1. In reply to Q.41, he says he himself filled Form P-6. In reply to Q.42, he says that it was not his duty to fill the bills. If whole evidence of MW-I is considered, it doesnot clearly spell that documents Exhibit P-1 to P-6 were filled by workman himself claiming LTC for his wife. There is no dispute that at the relevant time, workman was not marked. MW-I had verified information from service book. There was no entry of wife as relative of workman.

14. So far as evidence of statement of management witness No.2 is concerned, in his cross-examination reply to Q.2, he says apart from checking those address and block year, he had not checked depends of the delinquent. In reply to Qr.3, he was unable to tell as to which authority used to change the list of witnesses for LTC in case of NIEs.

15. Management's witness No.3 in his evidence says that he was engaged in leave application group. He was

doing registration of leave application of all NIEs in E(T)Section. In his further statement in reply to Q.2, he says Shri K.Dutta has applied for leave for 15 days from after checking leave position from leave record, his leave was booked as 9 days EL and 6 days Leave without pay. His evidence has absolutely no bearing to claim LTC benefit by delinquent for his wife. The statement of management witness No.4 Gangaram Yadav is on the point that delinquent was residing at his house 5-6 years back. His further evidence shows that any lady were not residing with him. The statement of witness No.5 Ramdas Yadav is on the point that 7-8 persons including Shri Pathak were residing in his house. His evidence has absolutely no bearing to the claim of LTC by delinquent for his wife. The statement of witness No.6 Shri N.L.Khadse, CBI Inspector is on the point that he recorded the statements. Those statements are not produced on record. The statements of any of the witnesses of the management are silent that the application for LTC benefit for his wife by delinquent was signed by delinquent in their presence. The relevant contents about family members, wife was written by workman. In absence of such evidence, statement recorded by management witness No.6 not produced on record. The evidence is unsafe to place reliance. Evidence of management's witness is not cogent to prove the charges against workman. The documents produced by IInd party management are zerox copies P-1 to P-6 is not produced is a mystery.

16. Learned counsel for management Shri P.Shankaran relies on ratio held in

Case of Uptron India Ltd. Versus Ammi Bhan reported in AIR 1998-SC-1681. Their Lordship wrong concession on question of law made by counsel is not binding on his client. Such concession cannot constitute a just ground for a binding precedent.

In case of Syed Rahimuddin versus Director General CSIR reported in AIR 2001-SC-2418. Their Lordship dealing with compliance of natural justice.

The ratio needs no discussion as the workman has admitted by submitting application dated 7-9-01 that enquiry conducted against him is proper. For the same reasons, ratio held in case of AIR-1996-SC-492 & 2002(1)MPLJ-435 cannot be applied to present case.

17. The evidence discussed on record of management witnesses is not cogent, clear that the delinquent himself had claimed LTC benefit for his wife. When the claim for LTC Bill as processed from office, it could have been immediately noticed that workman was unmarried at relevant time. The office could have raised objection but nothing of this sort was done by the IInd party. Charges of misconduct alleged against workman cannot be proved from evidence proceeding. Therefore punishment of removal from service reduced to compulsory retirement

by Appellate Authority is not justified. For above reasons I record my finding in Point No. 2 as not proved and Point No.3 in Negative.

18. Point No.4- in view of my finding in Point No.2,3, misconduct alleged against workman is not proved from evidence in Enquiry Proceedings, the punishment of removal from service or compulsory retirement cannot be justified or legal, question arises to what relief the workman is entitled? As charges are not proved, the punishment is illegal. Workman deserves to be reinstated with continuity of service with back wages. Accordingly I record my finding in Point No.4

19. In the result, award is passed as under:-

- (1) The action of the management of Gun Carriage Factory, Jabalpur in compulsory retiring Shri K.Dutta, Ex.Labour, GCF w.e.f. 21-1-1988 is not proper and legal.
- (2) Management is directed to reinstate workman with continuity of service and full back wages.

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9 % interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2477.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कस्टम्स एण्ड सेंट्रल एक्साइज डिपार्टमेंट, भोपाल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/ एलसी/आर/116/07) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-42011/139/2007-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2477.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/116/07) of the Central Government Industrial Tribunal cum Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Customs & Central Excise Department, Bhopal and their workmen, which was received by the Central Government on 08/09/2014.

[No. L-42011/139/2007-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/116/07

PRESIDING OFFICER : SHRI R.B.PATLE

General Secretary,
Pichhdavarg Karmchari Kalyan Parishad,
9, Sanwer Road,
Ujjain.

.....Workman/Union

Versus

Commissioner,
Customs & Central Excise Department,
48, Admn. Areas, Arera Hills,
Hoshangabad Road,
Bhopal (MP)

.....Management

AWARD

Passed on this 1st day of August 2014

1. As per letter dated 27-11-07 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-42011/139/2007-IR(DU). The dispute under reference relates to:

“Whether the action of the management of Commissioner, Custom and Central Excise, Bhopal in terminating the services of their workman Shri Dinesh Malviya w.e.f. 31-3-03 is legal and justified? If not, to what relief the workman is entitled to?”

2. After receiving reference, notices were issued to the parties. Workman filed statement of claim at Page 2/1 to 2/4. Case of Ist party workman is that he was appointed on permanent post of peon by the Collector on 4-6-98 on pay Rs. 7018/-. He was continuously working till termination of his services on 31-3-03. Workman submits that he had completed 240 days continuous service. His services were terminated without notice or paying retrenchment compensation. Termination of his service is in violation of Section 25-F of I.D.Act. that he is covered as an employee under Section 25 B of I.D.Act. the principles of last come first go was not followed by IInd party. After termination of his services other persons were engaged. He was not provided employment. IInd party thereby violated Section 25-H of I.D.Act. On such ground, workman prays for his reinstatement with consequential benefits.

3. IInd party filed Written Statement at page 6/1 to 6/5. Preliminary objection is raised by IInd party that workman was not appointed by IInd party. There was no question of termination of his service. Workman had not continuously worked. There is no employer employee relationship, any provisions of Section 25-F, G, H & N are

not applicable. All material contentions about appointment of workman on permanent post of peon are denied. IInd party submits that workman was engaged for 4 hours as unskilled labour on contract basis. Workman was paid wages at Collector rate. The contentions about increase in wages from Rs. 762 to 818, 911, 986, 1018 are misleading. That the workman was engaged on purely temporary basis. No dispute existing between parties covered under Section 25-F of I.D.Act. That as per law, IInd party is not bound to give notice of termination or pay compensation. IInd party did not terminate services of workman. Provisions of I.D.Act are not applicable to IInd party. On such ground, IInd party prays for rejection of claim.

4. Workman filed rejoinder at Page 10/1 to 10/2 reiterating his contentions in statement of claim that services of workman are terminated in violation of Section 25-F of I.D.Act. workman completed 240 days continuous service. IInd party terminated workman without notice or paying retrenchment compensation.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|--|--------------------|
| (i) Whether the action of the management of Commissioner, Custom and Central Excise, Bhopal in terminating the services of their workman Shri Dinesh Malviya w.e.f. 31-3-03 is legal and justified | In Negative |
| (ii) If not, what relief the workman is entitled to?" | As per final order |

REASONS

6. Workman is challenging termination of his service for violation of Section 25-F of I.D.Act. Management denied material contentions of workman denying employer employee relationship. Workman filed affidavit of his evidence. Workman has stated that he was working for 4 hours in office and 4 hours at residence of the officers from 4-6-98 to 31-3-03. He worked more than 240days continuous service. The services were terminated without paying retrenchment compensation. In his cross-examination workman says he was engaged by Suptd. appointment letters were given to him. He received salary through cashier. He denies working under any contractor. Appointment letter was issued by the Administrative Officer. He worked from 4-6-98 to 31-3-03. Thereafter his services were terminated. IInd party did not adduce evidence. IInd party admitted documents Exhibit W-3 to W-16. From those documents, it is clear that workman was continuously working with IInd party. The certificate W-16 shows the workman was continuously working from 4-6-98 to 25-9-04. Documents produced by IInd party is admitted by workman Exhibit M-1 to M-5 shows payments

of amount received by workman. The services of workman is terminated without notice. No retrenchment is paid to him. Therefore termination of services of workman is in violation of Section 25-F of I.D.Act. For above reasons, I record my finding in Point No.1 in Negative.

7. **Point No. 2-** in view of my finding in Point No.1, termination of services of workman is in violation of Section 25-F of I.D.Act, question arises whether workman is entitled to reinstatement with back wages. The representative of workman Shri R.Nagwanshi submitted citations in case of Samishta Dube versus City Board Etawah and another reported in 1999(81)FLR 746. In case of Sanjay Kumar versus chief Executive, Janpad Panchayat, Ratlam reported in 2010(3) MPLJ 457. In case of Sanjay Kumar workman was reinstated with 50 % back wages. The legal position is shattered from various judgments of Hon'ble Supreme Court that daily wage employees terminated in violation of Section 25-F of I.D. Act can not be reinstated, reasonable compensation can be awarded. In present case, evidence of workman shows that the period of working of the workman is June 98 to March-03 about 4 years 9 months. Considering the short period of working and appointment of workman was not made after following rules, therefore reinstatement of workman would not be appropriate. Reasonable compensation would meet the ends of justice. In my considered view, compensation Rs. 75,000/- would be reasonable. Accordingly I record my finding in Point No.2.

8. In the result, award is passed as under:-

- (1) The action of the management of Commissioner, Custom and Central Excise, Bhopal in terminating the services of their workman Shri Dinesh Malviya w.e.f. 31-3-03 is not proper.
- (2) IInd party is directed to pay compensation Rs. 75,000/ to the workman.

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9 % interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2478.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कस्टम्स एण्ड सेंट्रल एक्साइज डिपार्टमेंट, भोपाल प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/ एलसी/आर/115/07) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-42012/71/2007-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2478.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/115/07) of the Central Government Industrial Tribunal cum Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of the Customs & Central Excise Department, Bhopal and their workmen, which was received by the Central Government on 08/09/2014.

[No. L-42012/71/2007-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/115/07

PRESIDING OFFICER : SHRIR.B. PATLE

General Secretary,
Pichhdavarg Karmchari Kalyan Parishad,
9, Sanwer Road,
Ujjain.

.....Workman/Union

Versus

Commissioner,
Customs & Central Excise Department,
48, Admn. Areas, Arera Hills,
Hoshangabad Road,
Bhopal (MP)

.....Management

AWARD

Passed on this 1st day of August 2014

1. As per letter dated 27-11-07 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42012/71/2007-IR(DU). The dispute under reference relates to:

“Whether the action of the management of Commissioner, Custom and Central Excise, Bhopal in terminating the services of their workman Shri Rajendra Rathore w.e.f. 31-3-03 is legal and justified? If not, to what relief the workman is entitled to?”

2. After receiving reference, notices were issued to the parties. Workman filed statement of claim at Page 2/1 to 2/4. Case of 1st party workman is that he was appointed on permanent post of peon by the Collector on 4-6-98 on pay Rs. 7018/-. He was continuously working till termination of his services on 31-3-03. Workman submits that he had completed 240 days continuous service. His services were terminated without notice or paying retrenchment compensation. Termination of his service is

in violation of Section 25-F of I.D. Act. that he is covered as an employee under Section 25 B of I.D. Act. the principles of last come first go was not followed by IInd party. After termination of his services other persons were engaged. He was not provided employment. IInd party thereby violated Section 25-H of I.D. Act. On such ground, workman prays for his reinstatement with consequential benefits.

3. IInd party filed Written Statement at page 6/1 to 6/5. Preliminary objection is raised by IInd party that workman was not appointed by IInd party. There was no question of termination of his service. Workman had not continuously worked. There is no employer employee relationship, any provisions of Section 25-F, G, H & N are not applicable. All material contentions about appointment of workman on permanent post of peon are denied. IInd party submits that workman was engaged for 4 hours as unskilled labour on contract basis. Workman was paid wages at Collector rate. The contentions about increase in wages from Rs. 762 to 818, 911, 986, 1018 are misleading. That the workman was engaged on purely temporary basis. No dispute existing between parties covered under Section 25-F of I.D. Act. That as per law, IInd party is not bound to give notice of termination or pay compensation. IInd party did not terminate services of workman. Provisions of I.D. Act are not applicable to IInd party. On such ground, IInd party prays for rejection of claim.

4. Workman filed rejoinder at Page 9/1 to 9/2 reiterating his contentions in statement of claim that services of workman are terminated in violation of Section 25-F of I.D. Act. workman completed 240 days continuous service. IInd party terminated workman without notice or paying retrenchment compensation.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|--|--------------------|
| (i) Whether the action of the management of Commissioner, Custom and Central Excise, Bhopal in terminating the services of their workman Shri Dinesh Malviya w.e.f. 31-3-03 is legal and justified | In Negative |
| (ii) If not, what relief the workman is entitled to?” | As per final order |

REASONS

6. Workman is challenging termination of his service for violation of Section 25-F of I.D. Act. Management denied material contentions of workman denying employer employee relationship. Workman filed affidavit of his evidence. Workman has stated that he was working for 4 hours in office and 4 hours at residence of the officers from 4-6-98 to 31-3-03. He worked more than 240 days continuous service. The services were terminated without

paying retrenchment compensation. In his cross-examination workman denies that he worked on contract basis. He worked as Farrash. Appointment letter was given to him at Annexure P-1 to P-13. He had not submitted application. The Suptd. received information about vacancy from Suptd. in office. He knows N.K. Enterprises, but he has no concern with it. After 2 years he was paid through N.K. Enterprises, received appointment letter through Admn. Officer. The wages were fixed at Collector rate. The cross-examination of the workman did not shatter his evidence that workman was working with IInd party. IInd party has admitted documents P-1 to P-14. Bench clerk is directed to give appropriate number to those documents. Those documents corroborate evidence of workman that he was continuously working with IInd party from June 88 till termination of his service. The working hours of workman are shown 4 hours per day. The wages paid to workman are also shown. IInd party produced documents re admitted by Ist party. Bench clerk is directed to give appropriate Exhibit Numbers to all those documents. IInd party did not adduce any evidence. It appears that IInd party is supporting claim of workman by admitting the documents on record. From evidence of workman and documents produced, it is established that workman was continuously working with IInd party for more than 240 days. His services are terminated without notice, retrenchment compensation is not paid to him. Termination of services of workman is therefore in violation of Section 25-F of I.D. Act. For above reasons, I record my finding in Point No.1 in Negative.

7. **Point No. 2-** in view of my finding in Point No.1, termination of services of workman is in violation of Section 25-F of I.D. Act, question arises whether workman is entitled to reinstatement with back wages. Workman is not appointed after following recruitment rules or selection process. The period of working of the workman is June 98 to March-03 about 4 years 9 months. Considering the short period of working and appointment of workman was not made after following rules, therefore reinstatement of workman would not be appropriate. Reasonable compensation would meet the ends of justice. In my considered view, compensation Rs. 75,000/- would be reasonable. Accordingly I record my finding in Point No.2.

8. In the result, award is passed as under:-

- (1) The action of the management of Commissioner, Custom and Central Excise, Bhopal in terminating the services of their workman Shri Rajendra Rathore w.e.f. 31-3-03 is not proper.
- (2) IInd party is directed to pay compensation Rs. 75,000 to the workman.

Amount as per above order shall be paid to workman within 30 days from the date of notification of award. In case of default, amount shall carry 9 % interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2479.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक नोट प्रेस, देवास के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/ एलसी/आर/92/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-42011/04/95-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2479.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/92/96) of the Central Government Industrial Tribunal cum Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of the Bank Note Press, Dewas and their workman, which was received by the Central Government on 08/09/2014.

[No. L-42011/04/95-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/R/92/96

PRESIDING OFFICER : SHRI R.B.PATLE

General Secretary,
Bank Note Press Office Staff
Association,
Dewas (MP)

.....Workman/Union

Versus

General Manager,
Bank Note Press,
Dewas

Management

AWARD

Passed on this 13th day of August 2014

1. As per letter dated 27-3-96 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D. Act, 1947 as per Notification No.L-42011/4/95-IR(DU). The dispute under reference relates to:

“Whether the action of the management of Bank Note Press Manager Dewas in enhancing the working hours from 37 ½ hours to 44 hours per week for

office, Estate and Dispensary Staff etc. whose usual working hours were 37 ½ hours earlier, per week w.e.f. 28-3-92 without payment of additional incentive or allowance or double the rate of overtime allowance is justified or not? If not, to what relief the effected workmen of Bank Note Press, Dewas (MP) are entitled to?"

2. After receiving reference, notices were issued to the parties. Ist party Union submitted statement of claim at Page 3/1 to 3/4. Case of Ist party Union is that working hours of office staff of Bank Note press was 37 ½ hours per week since establishment of Bank Note Press. Bank Note Press vide notice dated 23-10-91 proposed to increase the office hours of all staff in Block VI and LDCs, UDCs Stenographers and office peons working in the canteen, Dispensary, workshop, workmen office, control office, LO office, Ink Factory and Stores etc. from 9 AM to 6 PM with one hour break. The Union had taken objections to it. The management failed to consider objections of the Union. Management unilaterally decided to implement office hours. Subsequently vide office order dated 28-3-92, management implemented change in office hours from 37 ½ hours to 44 hours per week on 29-3-92. Union aggrieved by decision of management, entire working class went on strike. Strike continued to 28-5-92.

3. It is alleged that management started victimizing workers by threatening dismissal from services and all various disciplinary action. Management issued notice of termination from services in respect of temporary employees. Under said circumstances, Union was compelled to arrive at a settlement with the management. The settlement was signed between representative and management on 31-7-92. Union had no alternative but to raise the dispute before ALC, Bhopal. The conciliation proceedings ended in failure. The dispute is referred for adjudication. The increase of working hours from 37 ½ hours per week. It is submitted that employees are entitled to additional remuneration for extra working hours. Union demanded additional remuneration for extra work taken from the employees. Management refused to grant any extra remuneration that normal working hours of ministerial staff were 37 ½ hours since beginning. The increase in working hours should be followed by additional remunerations. If working hours are increased, pay scale is to be automatically increased. That management has no right to increase working hours without increase in pay scale is reiterated. Management cannot be permitted to increase working hours according to their will and wishes without paying additional remunerations. That 4th Pay Commission has made recommendations. The Pay scale already fixed for 37 ½ hours per week, 4th Pay Commission recommended working days 6 in a week. When working hours were 37 ½ hours with 6 days working in a week, the increase of working hours to 44 hours per week. The recommendation for six days in a week was not considered.

The employees working in factory of same establishment are working 44 hours in a week and getting overtime at double the rate for extra work done and full incentive whereas in case of ministerial staff the management has adopted a step motherly treatment and refused to extent any benefits to the ministerial staff either at par with the employees working in the factory or as per recommendations of the 4th Pay Commission. On such grounds, Union submits that the employees are entitled to overtime at double the rate for extra working for 6 ½ hours per week.

4. Management filed Written Statement at Page 4/1 to 4/11. IInd party submitted that it is undertaking of Govt. of India registered as Factory Employees of Group B, C Non-Gazetted Staff B, A etc. is employed. The place being factory at the time of initial appointment all ministerial employee were told that they will have to work 48 hours per week. Said condition was included as condition of service in offer of appointment. That IVth Pay Commission in Para 26.6 recommended that working hours of office staff be increased suitably from present 37 ½ hours working hours. With a view the need to maintain and improve the level of productivity and also to reduce the disparity in the working hours among the industrial operative and office staff to some extent. Accordingly working hours of all office staff were enhanced from 37 ½ hours to 40 hours. Govt. of India decided to enhance normal working hours from 37 ½ hours to 40 hours per week. The decision of Govt. was conveyed vide letter dated 28-10-87. Since office staff attached to factory are covered by I.D.Act, notice dated 16-1-88 under Section 9-A of I.D.Act was issued by management. 5 persons from office staff vide petition before CAT Jabalpur in February 88 Original Application No. 94/98. Said petition was rejected on 22-8-88 holding that Government was within its right to increase the duration of these working hours and also to rationalize the system prevailing in the 9 units referred to earlier and also reduce the disparity between working hours of office staff and administrative wing and the industrial workers operatives of these organizations. The staff agitated against increase in working hours. Dispute was raised before ALC, Bhopal. On failure of conciliation Government decided not to refer the matter to the Tribunal in view of order passed by CAT, Jabalpur. On failure of conciliation proceedings during pendency of petition before CAT, Jabalpur, Workers Union resorted to strike from 1-3-88 for 3 days. After protracted negotiation, an understanding was reached with the office staff and Bank Note press Shramik Sangh on 4-3-88. With a view to remove disparity between normal working hours of office staff and industrial workmen, notice dated 23-10-91 was issued increasing normal working hours of office staff from 37 ½ hours to 44 hours per week. The staff association served strike notice requesting withdrawal of the notice. On failure of conciliation proceeding, the staff proceeded

on strike on 29-3-92 to 18-5-92. In accordance with agreement reached between management and Staff Association in July 1992, strike was called off and working for 44 hours per week was started from 29-5-92. IInd party submits that the working hours 37 ½ hours per week were increased to 44 hours per week. The reference is restricted as shown in the schedule is not justified. It is reiterated that the dispute about increase in absence was decided by CAT, Jabalpur in original application 94/88 on 22-8-88. Since the matter is already adjudicated, the reference is barred by res judicata. The office staff shall observe 16 hours working per week and for extra working hours above 44 normal working hours overtime allowance admissible as per Government orders is paid. Reason behind increase of work is to remove disparity between working hours of office staff and industrial workers as per recommendations in IVth Pay Commission. It is further submitted that for extra working beyond normal working hours, the workers are paid overtime allowance as per scheme. The ministerial staff who are not directly connected with the production are getting overtime allowance. On such contentions, IInd party prays for rejection of claim.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|---|---|
| (i) Whether the action of the Management of Bank Note Press Manager Dewas in enhancing the working hours from 37 ½ hours to 44 hours per week for office, Estate and Dispensary Staff etc. whose usual working hours were 37 ½ hours earlier, per week w.e.f. 28-3-92 without payment of additional incentive or allowance or double the rate of overtime allowance is justified? | In Affirmative |
| (ii) If not, what relief the workman is entitled to? | Workmen are not entitled to relief claimed. |

REASONS

6. Union has challenged increase of working hours from 37 ½ hours to 44 hours per week giving notice under Section-9 of I.D.Act. The claim of Union is opposed by management. Affidavit of evidence filed by Shri Ashok Joshi, Ashok Kumar Srivastava supporting contentions of Union. That the affidavit of those witnesses are devoted that casual working hours of office staff were 37 ½ hours per week. Increase of office hours to 44 hours per week is illegal. Employees are entitled to get additional remuneration for extra working hours. That IVth Pay Commission had recommended working hours 44 per week with 5 days working. Shri Ashok Joshi witness No.1 in his cross-examination said at the time of appointment,

conditions were explained to him. He had undertaken to work 44 hours per week on recommendations of IVth Pay Commission. The working hours were 44 hours per week with 5 days working. His appointment order provides condition of working 44 hours in a week. Witness No.2 Ashok Kumar Srivastava in his cross-examination says that he admitted conditions at the time of his appointment. That as per IVth Pay Commission, working for 44 hours per week was recommended. That pay is fixed as per recommendations of IVth Pay Commission.

7. Management's witness Shri Ahake in his affidavit in para-7 of his affidavit has stated that on recommendations of IVth Pay Commission, Govt. enhanced working hours of 37 ½ hours to 44 hours vide office order dated 28-3-92. His affidavit also devoted about the order passed by CAT, Jabalpur dated 22-8-98. Management's witness in his cross-examination says employees working 44 hours per week were not getting benefit of overtime double rate. He denies that IVth Pay Commission recommended 44 hours working per week. The contents in Written Statement about the same are incorrect. He was unable to tell since when Security Press Nagpur was affected.

8. The documents are produced Exhibit W-1 Clause IV provides working hours 37 ½ hours per week. The authority deserves right to fix such other timings as may be appropriate. The order dated 9-5-75 about working hours shows 37 ½ hours working per week for LDCs, UDCs, stenographers, peons etc. the proforma for appointment document 4/13 provide 48 hours working for industrial workers. Letter dated 28-10-87 issued by Under Secretary of Govt. of India shows that it was decided that normal working hours for all employees working hours is 44 hours per day. Notice of change Annexure V was issued for increasing working hours from 37 ½ hours to 44 hours.

9. During course of argument, learned counsel for workman Shri A.K.Shashi emphasized that CGIT Bombay had upheld claim of Union for 37 ½ hours working per week, whereas counsel for management Shri Shekhar Sharma emphasized that CAT Jabalpur had rejected claim etc. challenging increase of working hours to 44 hours. The copy of judgment in Original Application No. 94/88, 138/88 is produced. The contentions of the petitioners opposing increase of working hours to 44 hours per week has been rejected. Note was taken for decision to increase the working hours by the government and not by the management or General Manager. The increase in duration of working hours of office staff cannot be considered to be unreasonable. That copy of award passed by CGIT Bombay is produced. Para-15 of the award at Page 9 clearly shows that in view of above on request of ALC, the management agreed- to await for decision of the Calcutta High Court regarding the increase in the working hours and not to implement/ enforce the changes proposed vide their notice dated 16-1-1988 for the time being. In para -22

of the award, it was deserved that it is tried to submit on behalf of the management that the CAT at Hyderabad and Jabalpur by their judgment dated 16-5-88 & 22-8-88 have come to the conclusion that change in the working hours which is tried to be effected by notice dated 16-1-88 is just, legal and proper. On this basis Government declined to make a reference in respect of to the dispute which was raised by the present Union. Concluding part of Para-22, it was observed while answering the reference, what I have to see is whether the management had a right to increase the working hours or not. It is not necessary for me to discuss whether management has a right to increase the working hours or not. Thus the award by CGIT Bombay was passed considering breach of agreement to await decision of Calcutta High Court and not to implement change proposed vide notice dated 16-1-1988. Thus award passed by CAT Bombay has not really decided the controversy about increase of working hours on merit whereas CAT Jabalpur has decided said controversy on merit. No doubt the judgment by CAT Jabalpur cannot be a binding precedent. However the pleadings and evidence of the Union and its witnesses above indicated in rational how increase in working hours is unjustified. The copy of IVth Pay Commission recommendation about 44 hours per week is not produced on record. The reasonings given by CAT Jabalpur in his judgment is on recommendation of IVth Pay Commission. There was increase in pay scales that Govt. was justified in increasing working hours. It appears logical. I find no other ground to hold that increase in working hours 44 per week by Govt. for office staff is improper. For above reasons, I record my finding in Point No.1 in Affirmative.

10. In the result, award is passed as under:-

- (1) The action of the management of Bank Note Press Manager Dewas in enhancing the working hours from 37 ½ hours to 44 hours per week for office, Estate and Dispensary Staff etc. whose usual working hours were 37 ½ hours earlier, per week w.e.f. 28-3-92 is legal and proper.
- (2) The Union/ employees are not entitled to any relief claimed by him.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2480.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डिपार्टमेंट ऑफ टेलीकम्यूनिकेशन, बिलासपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/ एलसी/आर/216/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-40012/116/91-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2480.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. CGIT/LC/R/216/91) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecommunication, Bilaspur and their workman, which was received by the Central Government on 08/09/2014.

[No. L-40012/116/91-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/R/216/91

PRESIDING OFFICER : SHRI R. B. PATLE

Shri Ram Gopal Yadav,
S/o Shri S.L. Yadav,
Tikrapara,
Bilaspur

.....Workman

Versus

Telecom District Engineer,
Bilaspur

.....Management

AWARD

Passed on this 31st day of July, 2014

1. As per letter dated 12-11-91 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D. Act, 1947 as per Notification No.L-43012/06/91-IR(DU). The dispute under reference relates to:

“Whether the District Telecom Engineer, Bilaspur was justified in denying employment/ terminating the services of Shri Ram Gopal Yadav as a casual labour w.e.f. 1-3-1981? If not to what relief the workman is entitled to?”

2. After receiving reference, notices were issued to the parties. Ist party workman submitted statement of claim Page 2/1 to 2/3. Case of Ist party workman is that he was appointed as casual mazdoor in August, 1979 in telephone department, Bilaspur. He continuously worked till February, 1981. He continuously worked for 549 days. He claims to be entitled for regularization in DE category. That he suffered from illness in February, 1981. He received treatment from Dr.R.A.Gurudiwan, Govt. Ayurvedic Dispensary, Barni, Bilaspur. For about 9 years. That after recovery of illness on 18-11-89 that application was

submitted after expiry of due period 31-12-88 was called upon to explain delay. That workman submitted medical certificate of his fitness. He had raised dispute after the conciliation failed. On such ground workman prays for its regularization in "B" Category after completion of 180 days service. Pay and allowance for the period from 89 to 92 is also prayed.

3. IInd party filed Written Statement at Page 6/1 to 6/2. Claim of workman is denied. Ist party workman was not continuously working till 1981. He is not entitled for absorption as per the prevailing rules. All other contentions of workman are denied. It is submitted that Ist party workman is not entitled to any claim as he remained absent for 9 years. IInd party prayed for rejection of claim.

4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:-

- | | |
|---|--|
| (i) Whether the District Telecom Engineer, Bilaspur was justified in denying employment/ terminating the services of Shri Ram Gopal Yadav as a casual labour w.e.f. 1-3-1981? | In Affirmative |
| (ii) If not, what relief the workman is entitled to?" | Workman is not entitled to any relief as claimed by him. |

REASONS

5. The terms of reference relates to legality of termination of services of Ist party workman. However the statement of claim is filed claiming regularization after completion of 180 days working. Above claim in statement of claim is beyond terms of reference.

6. Workman filed affidavit of his witness Shri M.R.Dhurv supporting contentions raised in Written Statement of IInd party. The management's witness also remained absent for cross-examination by workman. Both parties half heartedly participated in reference proceeding. Ist party as well as witness of management did not remain present for cross-examination. Evidence of both of them cannot be considered. For absence of evidence, the claim of workman cannot be accepted. Therefore I record my finding in Point No.1 in Affirmative.

7. In the result, award is passed as under:-

- (1) The action of District Telecom Engineer, Bilaspur in denying employment/ terminating the services of Shri Ram Gopal Yadav as a casual labour w.e.f. 1-3-1981 is proper and legal.
- (2) Workman is not entitled to relief claimed by him.

R. B. PATLE, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2481.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जवाहर नवोदय विद्यालय समिति एण्ड अदर्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 63/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-42012/39/2006-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2481.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D. No. 63/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of the Jawahar Novodaya Vidyalaya Samiti & Others and their workmen, which was received by the Central Government on 08/09/2014.

[No. L-42012/39/2006-IR (DU)]

P. K. VENUGOPAL, Section Officer

अनुबंध

केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर सी.जी.आई.टी. प्रकरण सं. 63/2006

भरत पाण्डेय, पीठासीन अधिकारी

रेफरेन्स नं.-L- 42012/39/2006-IR(DU) दिनांक 11/10/2006

Shri Hari Prasad Joshi S/o. Shri Mathuralal Joshi, Through Shri Baldev Singh, Legal Advisor, Dudwara, Distt.- Kota (Rajasthan)

v/s

1. The Director, Jawahar Navodaya Vidyalaya Samiti, Regional Office – A-12, Shastri Nagar, Near Pital Factory, Jaipur – 302016
2. The Principal, Jawahar Navodaya Vidyalaya, Village & P.O.- Chhan, Distt.- Tonk (Rajasthan)

प्रार्थी की तरफ से : श्री रघुनन्दन शर्मा – एडवोकेट

अप्रार्थी की तरफ से: श्री हवाई सिंह – प्रतिनिधि

: पंचाट :

दिनांक : 30-07-2014

1. केन्द्रीय सरकार द्वारा औद्योगिक विवाद अधिनियम 1947 की धारा 10 की उप-धारा 1 के खण्ड (घ) के अन्तर्गत दिनांक 11/10/2006 के आदेश से प्रेषित विवाद के आधार पर यह प्रकरण न्यायनिर्णयन हेतु संस्थित है। केन्द्रीय सरकार द्वारा प्रेषित विवाद निम्नवत् है :-

2. “Whether the action of the management of the Principal Navodaya Vidyalaya, Chhan, Tonk, in terminating the services of Shri Hari Prasad Joshi w.e.f. 15.07.2005 is Just and legal? If not, to what relief the workman is entitled to?”

3. श्रम मंत्रालय के आदेश दिनांक 13.6.2012 द्वारा उपरोक्त रेफरेन्स दिनांक 11.10.2006 को संशोधित किया गया है जिसको निम्न रूप में ग्रहण किया जाना है :—

“Whether Shri Hari Prasad Joshi S/o Shri Mathura Lal Joshi was employed from 13.07.1996 to 14.07.2005 for 240 days in a year under the Principal, Navodaya Vidyalaya, Village Chhan, District Tonk ? if so, whether the action of the Principal, Navodaya Vidyalaya simiti in terminating the services of Shri Hari Prasad Joshi w.e.f. 15.07.2005 is legal and Justified? If not what relief the workman is entitled to?”

4. स्टेटमेन्ट ऑफ क्लेम के अनुसार संक्षिप्त: प्रार्थी हरि प्रसाद जोशी का कथन है कि वह वाहन चालक (ड्राइवर) के पद पर विपक्षी के संस्थान में जीप चलाने के लिये प्राचार्य, जवाहर नवोदय विद्यालय, छान जिला—टोंक द्वारा दिनांक 13.7.1996 को रिक्त स्थान पर नियुक्त किया गया था। प्रार्थी को कोई नियुक्ति-पत्र नहीं दिया गया था। प्रार्थी लगातार ईमानदारी व मेहनत से नौकरी कर रहा था। प्रार्थी ने दिनांक 9.8.99 तक 12 कैलेन्डर माह में 240 दिन से अधिक कार्य कर लिया तो प्राचार्य ने अकारण कार्य देना बन्द कर दिया। प्रार्थी ने विपक्षीगण से अनुरोध किया तो प्राचार्य ने कहा नई गाड़ी आ रही है और गाड़ी आने पर प्राचार्य, महोदय प्रार्थी को कार्य देंगे। आगे प्रार्थी का कथन है कि अगस्त 1999 से मार्च 2003 तक विपक्षीगण ने प्रार्थी को नौकरी नहीं दी। इसके बाद 2003 और 2004 में विपक्षी ने बीच-बीच में कार्य दिया। इसके बाद 26.6.2004 से कार्य दिया परन्तु 15.7.2005 से बिना कोई नोटिस या नोटिस के बदले में वेतन या क्षतिपूर्ति भत्ता दिये नौकरी से हटा दिया। प्रार्थी का कथन है कि विपक्षी द्वारा प्रार्थी को नौकरी से हटाना छंटनी का कार्य है जो अवैध एवं अनुचित है तथा औद्योगिक विवाद अधिनियम 1947 की धारा 25—एफ के विपरीत है।

5. यह भी कहा गया है कि प्रार्थी का कार्य नियमित प्रकृति का है और विपक्षी यह कार्य नया चालक रखकर करवा रहा है जो औद्योगिक विवाद अधिनियम 1947 की धारा 25—एच के प्राविधान के विपरीत है और अवैध है। यह भी कहा गया कि प्रार्थी आज भी बेरोजगार है और विपक्षी ने प्रार्थी द्वारा 12 कैलेन्डर माह में 240 दिन से अधिक कार्य करने के बावजूद उसे नौकरी से हटा दिया अतः न्यायालय यह घोषणा करे कि दिनांक 15.7.2005 से विपक्षी द्वारा नौकरी से हटाने का कार्य अवैध एवं अनुचित है तथा प्रार्थी सेवा की निरन्तरता सहित सम्पूर्ण वेतन के साथ सेवा में वापस नियुक्त होने का हकदार है।

6. स्टेटमेन्ट ऑफ क्लेम के विरुद्ध प्रस्तर जवाब दिनांकित 29.3.2010 में विपक्षीगण की तरफ से पृष्ठ 1 से लेकर पृष्ठ 7 तक

प्रारम्भिक आपत्ति प्रस्तुत की गयी है और पृष्ठ 8 से पृष्ठ 14 तक प्रस्तरवार वादोत्तर प्रस्तुत किया गया है।

7. प्रस्तरवार आपत्ति में स्टेटमेन्ट ऑफ क्लेम के प्रस्तर 1 में श्रम मंत्रालय द्वारा प्रेषित रेफरेन्स को स्वीकार किया गया है और कहा गया है कि क्लेम औद्योगिक न्यायाधिकरण के समक्ष पोषणीय नहीं होने के कारण निरस्त होने योग्य है। प्रस्तर 2, 3, 4, 5 और 6 के कथन को असत्य, आधारहीन, सारहीन और विधि विरुद्ध होने के कारण अस्वीकार किया गया है। अतिरिक्त कथन में यह कहा गया है कि प्रार्थी द्वारा उठाया गया विवाद औद्योगिक विवाद अधिनियम 1947 की परिधि में नहीं होने के कारण पोषणीय नहीं है और निरस्त होने योग्य है क्योंकि जवाहर नवोदय विद्यालय औद्योगिक विवाद अधिनियम 1947 में परिभाषित “उद्योग” की परिभाषा की परिधि में नहीं है।

8. यह भी कहा गया है कि प्रार्थी को विपक्षीगण के संस्थान में जवाहर नवोदय विद्यालय, जिला टोंक में कभी भी किसी भी आदेश द्वारा किसी भी पद पर नियुक्त नहीं किया गया था। यह भी कहा गया कि वास्तविक तथ्य यह है कि प्रार्थी को कार्य की उपलब्धता को दृष्टिगत रखते हुये पूर्ण रूप से तदर्थ आधार पर आकस्मिक दैनिक वेतन भोगी के रूप में कार्य की उपलब्धता रहने तक और नियमित कर्मचारी के उपलब्ध होने तक नियोजित किया गया।

9. वादोत्तर के प्रस्तर 3 में विपक्षीगण का कथन है कि प्राचार्य ने कभी भी प्रार्थी को न तो अकारण कार्य देना बन्द किया और न ही नई गाड़ी आने पर प्रार्थी को कार्य देने का आश्वासन दिया बल्कि वास्तविक वस्तुस्थिति यह है कि प्रार्थी स्वयं अन्यत्र बेहतर दैनिक वेतन भोगी के रूप में नियोजन उपलब्ध होने के कारण जवाहर नवोदय विद्यालय, जिला—टोंक में उपस्थित नहीं हुआ और जब तब आकस्मिक कार्य की उपलब्धता हुयी तो प्रार्थी ऐसे कार्य करने हेतु दैनिक वेतन भोगी के रूप में उपस्थित हुआ तो प्राचार्य द्वारा उसे दैनिक वेतन भोगी के रूप में कार्य दिया गया, इस तथ्य की पुष्टि प्रार्थी द्वारा दिनांक 3.3.2006 से 8.3.2003 तक (6 दिन), 26.3.2003 से 30.3.2003 तक (5 दिन), दिनांक 22.8.2003 और 24.8.2003 को मात्र एक—एक दिन कार्य पर उपस्थित होने और कार्य निष्पादन करने के तथ्य से भली—भाँति होती है। विपक्षीगण की तरफ से उक्त तथ्य का विवरण समझौता अधिकारी, कोटा के समक्ष जवाब में स्पष्ट रूप से अंकित किया गया है। प्रार्थी द्वारा प्रस्तुत प्रार्थना—पत्र दिनांकित 8.11.2005 (प्रदर्श M—1) तथा विपक्षीगण का जवाब दिनांकित 24.11.2005 वादोत्तर के साथ संलग्न है। विवाद की पोषणीयता के सम्बन्ध विपक्षीगण द्वारा समझौता अधिकारी के समक्ष प्रस्तुत प्रतिवेदन दिनांकित 9.12.2005 (प्रदर्श M—3) भी वादोत्तर के साथ संलग्न है।

10. यह भी कहा गया है कि दैनिक वेतन भोगी के रूप में दिनांक 15.7.2005 को प्रार्थी की सेवा समाप्ति का तथ्य असत्य, आधारहीन, सारहीन एवं विधि विरुद्ध अंकित किया गया है क्योंकि उसे कभी किसी लिखित आदेश द्वारा नियोजित नहीं किया गया। दिनांक 3.3.2003 को प्रार्थी कार्य की आकस्मिक उपलब्धता के कारण

विद्यालय में पुनः उपस्थित हुआ और दिनांक 8.3.2003 को अनुपस्थित हो गया। इसके बाद दिनांक 26.3.2003 को उपस्थित होकर पुनः 30.3.2003 तक कार्य किया और पुनः अनुपस्थित हो गया। इसके बाद प्रार्थी दिनांक 22.8.2003 को उपस्थित हुआ और उसी दिन एक दिवस का कार्य कर पुनः अनुपस्थित हो गया। इसके बाद दिनांक 24.6.2004 को उपस्थित हुआ और कार्य कर उसी दिन अनुपस्थित हो गया। इसके बाद दिनांक 12.5.2005 को लगभग 2 साल बाद प्रार्थी उपस्थित हुआ। दिनांक 25.5.2005 तक कार्यरत रहा तत्पश्चात् पुनः अनुपस्थित हो गया। इसके बाद पुनः दिनांक 8.6.2005 को उपस्थित हुआ और दिनांक 14.7.2005 तक कार्यरत रहा और पुनः अनुपस्थित हो गया। इससे स्पष्ट है कि प्रार्थी का स्टेटमेन्ट ऑफ क्लेम आधारहीन है और पत्रावली पर उपलब्ध अभिलेखित साक्ष्य के विरुद्ध है। प्रार्थी का उद्देश्य बिना कार्य किये आर्थिक लाभ पाना है और विपक्षीगण पर नियोजन हेतु दबाव बनाने का असफल प्रयास है। उक्त तथ्यों का उल्लेख विपक्षीगण द्वारा समझौता अधिकारी के समक्ष विवाद के जवाब में किया गया है। समझौता अधिकारी के समक्ष प्रस्तुत उत्तर प्रदर्श M-4 वादोत्तर के साथ संलग्न है उक्त स्थिति से यह स्पष्ट है कि प्रार्थी ने एक कलैण्डर वर्ष में 240 दिन कार्य नहीं किया है और इस प्रकार धारा 25-एफ के प्रावधान लागू नहीं होते हैं।

11. स्टेटमेन्ट ऑफ क्लेम के प्रस्तर 4 के विरुद्ध यह कहा गया है कि विपक्षीगण द्वारा समझौता अधिकारी, कोटा के समक्ष प्रार्थी की प्रार्थना-पत्र दिनांक 6.2.2006 का उत्तर प्रस्तुत कर स्पष्ट रूप से यह उल्लेख किया गया था कि प्रार्थी को विद्यालय में नियमित रूप से कार्य करने के लिये कभी भी नियोजित नहीं किया गया था एवं प्रार्थी द्वारा जिस कार्य प्रमाण-पत्र दिनांक 21.2.1999 का उल्लेख किया गया है वह केवल मात्र प्रार्थी को क्षेत्रीय कार्यालय से कार्यमुक्ति से सम्बन्धित है तथा उक्त कार्यमुक्ति आदेश को किसी भी आधार पर प्रार्थी के लगातार कार्यरत रहने का प्रमाण नहीं माना जा सकता। उक्त तथ्यों की पुष्टि प्रार्थी द्वारा प्रस्तुत दिनांकित 6.2.2006 मय संलग्न दस्तावेज तथा विपक्षीगण की तरफ से प्रस्तुत उत्तर से भलीभाँती होती है जिसकी एक छायाप्रतिलिपि प्रदर्श M-5 एवं प्रदर्श M-6 संलग्न हैं।

12. स्टेटमेन्ट ऑफ क्लेम के प्रस्तर 5 के विरुद्ध वादोत्तर में उल्लेख है कि स्वयं प्रार्थी इस तथ्य को स्वीकार करता है कि उसने नियमित नियुक्ति हेतु वाहन चालक के पद पर साक्षात्कार हेतु दिनांक 4.4.1998 को प्रार्थना प्रस्तुत कर भाग लेना चाहा था। अतः नियमानुसार नियुक्ति की निर्धारित प्रक्रिया में सफल होने के पश्चात् ही वाहन चालक के पद पर नियुक्ति प्राप्त की जा सकती है।

13. प्रस्तर 6 के विरुद्ध यह कहा गया है कि प्रार्थी ने सेवा समाप्ति की तिथि दिनांक 15.7.2005 के पूर्व 12 कलैण्डर माह में 240 दिन कार्य नहीं किया है, अतः धारा 25-एफ के प्राविधान लागू नहीं होते हैं और न ही विपक्षीगण द्वारा धारा 25-एफ के प्राविधान का उल्लंघन किया गया है, अतः प्रार्थी का क्लेम निरस्त होने योग्य है और प्रार्थी याचित अनुतोष पाने का हकदार नहीं है।

14. प्रारम्भिक आपत्ति में यह कहा गया है कि जवाहर नवोदय विद्यालय "उद्योग" की परिभाषा में नहीं आता है अतः न्यायाधिकरण के समक्ष प्रार्थी का क्लेम पोषणीय नहीं है। यह भी कहा गया है कि प्रार्थी के पक्ष में कोई वाद हेतुक उत्पन्न नहीं हुआ है इसलिये भी स्टेटमेन्ट ऑफ क्लेम पोषणीय नहीं है। यह भी कहा गया है कि जवाहर नवोदय विद्यालय, जिला-टोंक, नवोदय विद्यालय समिति की एक अभिन्न इकाई है जो मानव संसाधन विकास मंत्रालय, भारत सरकार का एक अभिन्न अंग है। प्रार्थी ने नवोदय विद्यालय समिति को पक्षकार नहीं बनाया है, अतः वाद में आवश्यक पक्षकारों की असंयोजन के कारण वाद निरस्त होने योग्य है।

15. याचिका के प्रस्तर 5 में कहा गया है कि विपक्षी का संस्थान एक शैक्षणिक संस्थान है जहाँ मैधावी छात्रों को निःशुल्क शिक्षा प्रदान की जाती है। अप्रार्थी संस्थान में ऐसी कोई भी गतिविधि अथवा क्रियाकलाप नहीं किया जाता है जो वाणिज्यिक संस्थान एवं व्यवसायिक इकाईयों द्वारा आम जनहित, जनपयोगी सेवा एवं उत्पाद का उत्पादन किया जाता है, अतः विपक्षी का संस्थान "उद्योग" की परिभाषा में नहीं आता है जैसा कि माननीय सर्वोच्च न्यायालय द्वारा फिजिकल रिसर्च लेबोरेट्री बनाम के.जी. शर्मा के प्रकरण में कहा गया है।

16. यह भी कहा गया है कि हिमांशु कुमार विद्यार्थी व अन्य बनाम बिहार राज्य व अन्य के प्रकरण में माननीय सर्वोच्च न्यायालय ने यह सिद्धान्त प्रतिपादित किया है कि दैनिक वेतन भोगी कर्मकार की सेवा समाप्ति किसी भी प्रकार से स्वच्छन्द, निरंकुश एवं मनमानी नहीं कही जा सकती, क्योंकि ऐसे कर्मकार का किसी भी पद के सम्बन्ध में कोई अधिकार नहीं होता है।

17. प्रारम्भिक आपत्ति के प्रस्तर 7 में यह कहा गया है कि नवोदय विद्यालय समिति एक पंजीकृत संस्था है, जिसका पंजीयन, संस्था पंजीकरण अधिनियम, 1860 के तहत हुआ है तथा नवोदय विद्यालय समिति द्वारा समिति के संचालन तथा समिति द्वारा संचालित किये जा रहे नवोदय विद्यालयों हेतु सम्पूर्ण नियमावली बनाई गई है, जिसके तहत किसी पद पर योग्य आशार्थी की नियुक्ति निर्धारित चयन प्रक्रिया के द्वारा ही की जा सकती है। प्रार्थी उसके कथनानुसार एक सिविल पद धारित करता है अतः इस आधार पर भी प्रार्थी द्वारा उठाया गया विवाद औद्योगिक विवाद अधिनियम, 1947 की परिधि में नहीं आता है।

18. यह भी कहा गया है कि प्रस्तुत प्रकरण सेवा से सम्बन्धित प्रकरण है तथा प्रशासनिक अधिकरण अधिनियम, 1985 के लागू होने के पश्चात् विषयवस्तु के सम्बन्ध में कार्यवाही प्रशासनिक अधिकरण अधिनियम, 1985 के तहत गठित केन्द्रीय प्रशासनिक अधिकरण के समक्ष ही की जा सकती है क्योंकि सेवा सम्बन्धी प्रकरण में सम्पूर्ण क्षेत्राधिकार प्रशासनिक अधिनियम, 1985 के तहत गठित प्रशासनिक अधिकरण में निहित हो चुका है एवं नवोदय विद्यालय समिति के सम्बन्ध में केन्द्रीय सरकार द्वारा धारा 14(2) की शक्तियों का प्रयोग करते हुये सेवा सम्बन्धित प्रकरणों के सम्बन्ध में सम्पूर्ण क्षेत्राधिकार प्रशासनिक अधिकरण अधिनियम, 1985

के अन्तर्गत सृजित अधिकरणों में निहित कर दिया गया है। प्रार्थी-श्रमिक द्वारा जो वाद/विवाद उठाया गया है वह उसके द्वारा "सिविल पोस्ट" से सम्बन्धित है, अतः ऐसी परिस्थितियों में प्रकरण को प्रशासनिक अधिनियम, 1985 के अन्तर्गत गठित प्रशासनिक अधिकरण के समक्ष ही उठाया जा सकता है। नवोदय विद्यालय समिति एक पंजीकृत संस्था है जिसका पंजीयन, संस्था पंजीकरण अधिनियम, 1860 के तहत हुआ है तथा नवोदय विद्यालय समिति द्वारा समिति के संचालन तथा समिति द्वारा संचालित किये जा रहे नवोदय विद्यालयों हेतु सम्पूर्ण नियमावली बनायी गयी है जिसके तहत किसी पद पर योग्य आशार्थी की नियुक्ति निर्धारित चयन प्रक्रिया के द्वारा ही की जा सकती है क्योंकि प्रार्थी उसके कथनानुसार एक सिविल पद धारित करता है। अतः इस आधार पर भी प्रार्थी द्वारा उठाया गया विवाद औद्योगिक विवाद अधिनियम, 1947 की परिधि में नहीं आता है।

19. यह भी कहा गया है कि प्रार्थी को दैनिक वेतन भोगी के रूप में नियमित वाहन चालक उपलब्ध नहीं होने के कारण आकस्मिक रूप से नियोजित किया गया था तथा नियमित वाहन चालक उपलब्ध हो जाने के तत्पश्चात् प्रार्थी द्वारा किये जा रहे आकस्मिक कार्य की उपलब्धता समाप्त हो गयी। अतः उपस्थित तथ्यों एवं परिस्थितियों में प्रार्थी द्वारा प्रस्तुत प्रार्थना पत्र सव्यय निरस्त फरमाये जाने योग्य है।

20. याची पक्ष की तरफ से वादोत्तर के विरुद्ध जबाबुल-जबाब प्रस्तुत किया गया है जिसमें स्टेटमेन्ट ऑफ क्लेम की पुनरावृत्ति की गयी है। प्रारम्भिक आपत्ति के विरुद्ध भी जवाब प्रस्तुत किया गया है, जिसमें कहा गया है कि विपक्षी का संस्थान औद्योगिक विवाद अधिनियम की परिभाषा में परिभाषित "उद्योग" की श्रेणी में आता है। यह भी कहा गया है कि प्रार्थी के पास वाद प्रस्तुत करने का पर्याप्त कारण है और बिना नोटिस दिये विपक्षी ने हटा दिया इस कारण वाद उत्पन्न हुआ। प्रार्थी का नियोजक विपक्षी है, इसलिये उसे पक्षकार बनाया गया है और जवाहर नवोदय विद्यालय समिति को भी पक्षकार बनाया है अतः आवश्यक पक्षकारों के संयोजन का दोष नहीं है। यह भी कहा गया है कि चूंकि दैनिक वेतन भोगी "कर्मकार" की श्रेणी में आता है, इसलिये औद्योगिक विवाद अधिनियम की धारा 25—F, G एवं H का प्राविधान लागू होता है और हिमांशु कुमार विद्यार्थी व अन्य बनाम बिहार राज्य व अन्य का दृष्टान्त वर्तमान मामले में लागू नहीं होता है। प्रार्थी औद्योगिक विवाद अधिनियम की धारा 2 (एस) में परिभाषित "कर्मकार" की परिभाषा और विपक्ष 2 (जे) में परिभाषित "उद्योग" की श्रेणी में आते हैं जिसके अनुसार दोनों पक्षकारों के बीच उत्पन्न विवाद धारा 2 (के) में परिभाषित "औद्योगिक विवाद" की श्रेणी में आता है। प्रार्थी को जिस तरीके से सेवा—मुक्त किया गया है वह धारा 2 (00) में परिभाषित "छंटनी" की श्रेणी में आता है इसलिये न्यायाधिकरण को वर्तमान मामले में सुनवाई का क्षेत्राधिकार प्राप्त है एवं उक्त कारणों के आधार पर प्रशासनिक अधिकरण को सुनवाई का क्षेत्राधिकार नहीं है।

21. प्रारम्भिक आपत्ति के प्रस्तर 10 के विरुद्ध कथन को अस्वीकार करते हुए यह कहा गया है कि प्रार्थी की सेवा मुक्ति के बाद विपक्षी ने दैनिक वेतन भोगी कर्मचारी को ही ड्राइवर के पद पर रखा है। नियमित वाहन चालक की नियुक्ति की तिथि नहीं अंकित की है, जिससे स्पष्ट नहीं है कि उसकी नियुक्ति कब की गयी, अतः नियोजक द्वारा उठायी गयी प्रारम्भिक आपत्ति निरस्त की जाय और मामले की सुनवाई गुणावगुण के आधार पर कि जाय।

22. याची पक्ष की तरफ से प्रलेखित साक्ष्य के रूप में प्रदर्श W-1 लगायत प्रदर्श W-5 अभिलेख प्रस्तुत किया गया है इसके अतिरिक्त प्रार्थी हरि प्रसाद जोशी का शपथ-पत्र प्रस्तुत किया गया है जिनकी प्रतिपरिक्षा विपक्ष द्वारा की गयी है।

23. विपक्षीगण की तरफ से अभिलेख M-1 लगायत M-6 प्रस्तुत है। विपक्षीगण की तरफ से श्री सुधीर चन्द ध्यानी, प्राचार्य, जवाहर नवोदय विद्यालय, जिला-टोंक का शपथ-पत्र साक्ष्य में प्रस्तुत किया गया है जिनकी प्रतिपरिक्षा याची पक्ष द्वारा की गयी है।

24. विपक्षीगण की तरफ से सूची सहित अभिलेख प्रस्तुत किये गये हैं जो प्रदर्श M-1 लगायत प्रदर्श M-5 हैं। इसके अतिरिक्त याची की उपस्थित तालिका तथा भुगतान की फोटोप्रति प्रस्तुत है। वर्तमान प्रदर्श M-1 लगायत प्रदर्श M-5 पूर्व में अंकित M-1 लगायत 6 से भिन्न अभिलेख हैं। पूर्व में प्रस्तुत M-1 लगायत M-6 वादोत्तर के साथ प्रस्तुत किये गये हैं।

25. प्रार्थी पक्ष की तरफ से निम्नलिखित विधिक दृष्टान्त प्रस्तुत किये गये हैं :-

(1) 2003 वेस्टर्न लॉ केसेज (राजस्थान), यू.सी. पृष्ठ 523 राजस्थान उच्च न्यायालय (जयपुर खण्डपीठ), जनरल मैनेजर बनाम दि लेबर कोर्ट व अन्य

(2) 2008 वेस्टर्न लॉ केसेज (राजस्थान), यू.सी. पृष्ठ 730 राजस्थान उच्च न्यायालय, जौधपुर (खण्डपीठ), राज्य एवं अन्य बनाम गिरिराज प्रसाद एवं अन्य

(3) 2007 ए.आई.आर., एस.सी.डब्ल्यू. पृष्ठ 1712 मैसर्स श्रीराम इण्डस्ट्रीयल एन्टरप्राइजेज बनाम महक सिंह एवं अन्य

(4) 2005 (4) पृष्ठ 90, वेस्टर्न लॉ केसेज, राजस्थान उच्च न्यायालय (जौधपुर), यूनियन ऑफ इण्डिया एवं अन्य बनाम श्रम न्यायालय एवं अन्य

(5) 2005 वेस्टर्न लॉ केसेज (राजस्थान), यू.सी., पृष्ठ 737 राजस्थान उच्च न्यायालय (जयपुर खण्डपीठ), डायरेक्टर दूरदर्शन केन्द्र बनाम दि जज, केन्द्रीय अधिकरण एवं अन्य

26. विपक्षीगण की तरफ से निम्न दृष्टान्त प्रस्तुत किये गये हैं :-

(1) (1997) 4 एस.सी.सी. पृष्ठ 257 फिजिकल रिसर्च लेबोरेट्री — अपीलार्थी बनाम के.जी. शर्मा — प्रत्यर्थी

(2) (1997) 4 एस.सी.सी. पृष्ठ 391 हिमान्यु कुमार विद्यार्थी एवं अन्य— याचीगण बनाम स्टेट ऑफ बिहार एवं अन्य—प्रत्यर्थीगण

(3) (2002) 3 एस.सी.सी. पृष्ठ 25 सिविल अपील नं. 2002 का 1283 रेन्ज फॉरेस्ट ऑफिसर —अपीलार्थी बनाम एस.टी. हादिमानी — प्रत्यर्थी

27. मैने उभयपक्ष के विद्वान अधिवक्ता की बहस सुनी तथा पत्रावली का सम्यक् अवलोकन किया। याची पक्ष की तरफ से लिखित बहस भी प्रस्तुत की गयी।

28. जहां तक जवाहर नवोदय विद्यालय का “उद्योग” की परिभाषा से आच्छादित होने का प्रश्न है, विपक्षीगण के विद्वान अधिवक्ता की तरफ से यह बहस कि गयी है कि जवाहर नवोदय विद्यालय “उद्योग” की परिभाषा से आच्छादित नहीं है इसलिये प्रार्थी का क्लेम पोषणीय नहीं है। इसके विरुद्ध प्रार्थी पक्ष के विद्वान अधिवक्ता की तरफ से यह बहस की गयी है और लिखित बहस के प्रस्तर 4 में यह उल्लेख किया गया है की माननीय न्यायालय ने अपने कई दृष्टान्तों में नवोदय विद्यालय को “उद्योग” की श्रेणी में माना है। उल्लेखनीय है कि याची पक्ष की तरफ से अपने लिखित बहस में भी किसी दृष्टान्त का उल्लेख नहीं किया गया है जिसमें नवोदय विद्यालय को “उद्योग” की श्रेणी में दर्शाया गया हो। विपक्ष द्वारा 1947 2 (4) एस.सी.सी. पृष्ठ 257 भौतिक अनुसंधान प्रयोगशाला बनाम के.जी. शर्मा के दृष्टान्त का उल्लेख वादोत्तर की प्रारम्भिक आपत्ति में किया गया है।

29. जहाँ तक भौतिक अनुसंधान प्रयोगशाला बनाम के.जी. शर्मा के दृष्टान्त में दी गयी विधि व्यवस्था का प्रश्न है जिसका उल्लेख विपक्षीगण ने अपने वादोत्तर में किया है, माननीय सर्वोच्च न्यायालय के समक्ष अपील में यह प्रश्न विचारणीय था कि क्या अपीलार्थी भौतिक अनुसंधान प्रयोगशाला, औद्योगिक विवाद अधिनियम 1947 की धारा 2 (जे) में परिभाषित “उद्योग” की परिभाषा से आच्छादित है ? इस मामले में प्रत्यर्थी के.जी. शर्मा दिनांक 25.10.1948 को “साईन्सटिफिक ग्लास ब्लोवर” के पद पर नियुक्त हुए और इस पद पर रहते हुए 11.5.1976 को फोटोग्राफी डाक्यूमेंटेशन सर्विसेस में एक ऐसे पद पर स्थानान्तरित कर दिये गये जो गैर-तकनीकी और प्रशासनीक पद था। दिनांक 31.12.1978 को उनकी उम्र 58 वर्ष पूरी हो गई जिसके परिणामस्वरूप उन्हें दिनांक 1.1.1979 को सेवानिवृत्त कर दिया गया। 58 साल की उम्र में सेवानिवृत्त कर दिये जाने के कारण और 60 साल तक सेवा का अवसर न दिये जाने के कारण उन्होंने माननीय गुजरात उच्च न्यायालय के समक्ष रिट याचिका प्रस्तुत की। इसी बीच उन्होंने श्रम आयुक्त के समक्ष सेवानिवृत्त कर दिये जाने के विरुद्ध शिकायत प्रस्तुत की जिसके परिणामस्वरूप श्रम आयुक्त ने उनका मामला श्रम न्यायालय, अहमदाबाद को प्रेषित कर दिया। श्रम न्यायालय, अहमदाबाद ने अपीलार्थी भौतिक अनुसंधान प्रयोगशाला का यह कथन अस्वीकार कर दिया कि भौतिक अनुसंधान प्रयोगशाला “उद्योग” की परिभाषा से आच्छादित नहीं है जैसा कि औद्योगिक विवाद अधिनियम 2(जे) में कहा गया है। भौतिक अनुसंधान प्रयोगशाला को “उद्योग” होने की अवधारणा व्यक्त करने के साथ-साथ विद्वान श्रम न्यायालय ने यह निष्कर्ष भी दिया कि भौतिक अनुसंधान प्रयोगशाला एक

अनुसंधान संस्थान है जिसके द्वारा किया जा रहा अनुसंधान वस्तुओं अथवा सेवा की उत्पाद, आपूर्ति अथवा वितरण से जुड़ा हुआ नहीं है। श्रम न्यायालय ने माननीय सर्वोच्च न्यायालय द्वारा 1978 (2) एस.सी.सी. पृष्ठ 213 वाटर सप्लाई एण्ड सिवरेज बोर्ड बनाम ए. राजप्पा में दी गई विधि व्यवस्था के आधार पर उक्त अवधारणा व्यक्त की। श्रम न्यायालय ने यह भी पाया कि भौतिक अनुसंधान प्रयोगशाला स्वयं तथा अपने कर्मचारियों के सक्रिय सहयोग से संगठित एवं सुव्यवस्थित पद्धति के अनुसार अनुसंधान सम्बन्धित कार्य-कलाप का संचालन कर रही है तथा अनुसंधान से प्राप्त मौलिक उपलब्धि तथा आविष्कार बिक्री योग्य है। श्रम न्यायालय ने भौतिक अनुसंधान प्रयोगशाला को “उद्योग” होने की अवधारणा व्यक्त करने में माननीय गुजरात उच्च न्यायालय द्वारा भौतिक अनुसंधान प्रयोगशाला एम्पलाईज यूनियन बनाम ए.एन. राम (विशेष सिविल आवेदन संख्या 1082/79) में दी गई विधि व्यवस्था का भी अनुसरण किया जिस निर्णय में माननीय गुजरात उच्च न्यायालय ने यह प्रेक्षण किया है कि बैंगलोर वाटर सप्लाई एवं सिवरेज बोर्ड बनाम ए. राजप्पा के मामले में दी गई व्यवस्था के अनुसार इस सन्देश की कोई गुन्जाईश नहीं है कि भौतिक अनुसंधान प्रयोगशाला, अहमदाबाद में कार्यरत कर्मचारीगण औद्योगिक विवाद अधिनियम के अन्तर्गत “कर्मकार” की परिभाषा में आएंगे। श्रम न्यायालय अहमदाबाद ने यह अवधारित किया कि प्रत्यर्थी ने 1948 से लेकर 1976 तक एक लम्बी अवधि के लिए तकनीकी पद पर कार्य किया इसलिए उसे प्रशासनिक पद पर कार्य करते हुए व्यक्ति की संज्ञा नहीं दी जानी चाहिए थी क्योंकि अपने कार्यकाल के अन्तिम दिनों में उसका स्थानान्तरण प्रशासनिक पद पर किया गया था जिस समय उसकी उम्र 58 वर्ष पूरी हो रही थी। उक्त परिस्थिति में श्रम न्यायालय ने अवधारित किया कि प्रत्यर्थी 60 साल की उम्र तक सेवा में बने रहने का हकदार है तथा प्रत्यर्थी को सेवानिवृत्ति किये जाने का आदेश विधि विरुद्ध घोषित किया और यह भी अवधारित किया कि वह अपने पद पर पुनर्स्थापना के साथ पूरी वेतन भी पाने का हकदार है लेकिन चूंकि 60 साल की उम्र पूरी हो चुकी थी इसलिए दो वर्ष की अवधि का वेतन दिये जाने का आदेश पारित किया गया। अपीलार्थी भौतिक अनुसंधान प्रयोगशाला ने सीधे माननीय सर्वोच्च न्यायालय के सामने अपील प्रस्तुत की क्योंकि माननीय गुजरात उच्च न्यायालय ने यह दृष्टीकोण अपनाया था कि भौतिक अनुसंधान प्रयोगशाला “उद्योग” की परिभाषा से आच्छादित है। माननीय सर्वोच्च न्यायालय ने यह अवधारित किया कि किसी भी पक्षकार का यह कथन नहीं है कि भौतिक अनुसंधान प्रयोगशाला ऐसी गतिविधि में संलग्न है जिसे उद्यम, वाणिज्यकर्म या निर्माण कहा जा सके। माननीय सर्वोच्च न्यायालय ने यह भी अवधारित किया, “Neither from the nature of its organization nor from the nature and character of the activity carried on by it, it can be said to be an ‘undertaking’ analogous to business or trade. It is not engaged in a commercial industrial activity and in cannot be described as an economic venture or a commercial enterprise as it is

not its object to produce and distribute services which would satisfy wants and needs of the consumer community. It is more an institution discharging Governmental functions and a domestic enterprise than a commercial enterprise. We are, therefore, of the opinion that PRL is not an 'industry' even though it is carrying on the activity of research in a systematic manner with the help of its employees as it lacks that element which would make it an organisation carrying on an activity which can be said to be analogous to the carrying on of a trade or business because it is not producing and distributing services which are intended or meant for satisfying human wants and needs, as ordinarily understood." माननीय सर्वोच्च न्यायालय ने तदनुसार भौतिक अनुसंधान प्रयोगशाला की अपील स्वीकार की तथा विद्वान श्रम न्यायालय अहमदाबाद द्वारा पारित पंचाट को निरस्त किया।

30. 1988 सुप्रीम कोर्ट केसेज (एल. एण्ड एस.) पृष्ठ 892 मिस ए. सुन्दरमबाल — याची बनाम गोवा दमन एवं दिउ सरकार एवं अन्य — प्रत्यर्थीगण में माननीय सर्वोच्च न्यायालय ने यह अवधारित किया है कि औद्योगिक विवाद अधिनियम 1947 की धारा 2 (एस) में परिभाषित "कर्मकार" की परिभाषा से "अध्यापक" आच्छादित नहीं है लेकिन धारा 2 (जे) में परिभाषित "उद्योग" की परिभाषा से "शैक्षणिक संस्थान" आच्छादित हैं। मिस ए. सुन्दरमबाल बनाम गोवा दमन एवं दिउ सरकार एवं अन्य के मामले में अपीलार्थिनी प्रत्यर्थी के विद्यालय में एक अध्यापक के रूप में नियुक्त थी जिसकी सेवाएं विद्यालय के प्रबन्धन के द्वारा पत्र दिनांकित 25.4.1975 के माध्यम से समाप्त कर दी गई। सेवासमाप्ति का आदेश समाप्त कराने में अनेक प्रयासों के विफल होने के बाद औद्योगिक विवाद अधिनियम के अन्तर्गत अपीलार्थिनी ने "सुलह अधिकारी" के समक्ष औद्योगिक विवाद उठाया। सुलह समझौता की कार्यवाही सफल नहीं हुई। यह पाकर कि अपीलार्थिनी कर्मकार की परिभाषा से आच्छादित नहीं है सरकार ने अपीलार्थिनी के मामले को श्रम न्यायालय में निर्णयार्थ भेजने से मना कर दिया। इसके बाद अपीलार्थिनी ने माननीय उच्च न्यायालय मुम्बई की पणजी पीठ, गोवा के समक्ष रिट याचिका प्रस्तुत की और यह याचना की कि शासन को निर्दिष्ट किया जाय कि उसके मामले को श्रम न्यायालय के समक्ष प्रेषित करे ताकि उसकी सेवा समाप्ति के आदेश कि वैद्यता का निर्णय हो सके। माननीय उच्च न्यायालय ने अपीलार्थिनी की रिट याचिका निरस्त की और यह अवधारित किया कि अपीलार्थिनी "कर्मकार" की परिभाषा से आच्छादित नहीं थी जिससे क्षुब्ध होकर अपीलार्थिनी ने माननीय सर्वोच्च न्यायालय के समक्ष अपील प्रस्तुत की। माननीय सर्वोच्च न्यायालय के समक्ष निर्णयार्थ निम्न दो प्रश्न अवतरित हुए :-

- (1) क्या वह विद्यालय जिसमें अपीलार्थिनी कार्यरत थी वह "उद्योग" था ?
- (2) क्या अपीलार्थिनी "कर्मकार" थी तथा उस "उद्योग" में नियुक्त थी ?

माननीय सर्वोच्च न्यायालय ने बेंगलोर वाटर सप्लाई एवं सिवरेज बोर्ड बनाम आर.राजप्पा सहित अपने अनेक पूर्व निर्णयों का संदर्भ लेते हुए यह अवधारित किया कि शैक्षणिक संस्थान जिसमें अपीलार्थिनी कार्यरत थी वह "उद्योग" की परिभाषा से आच्छादित था। अपीलार्थिनी के संदर्भ में माननीय सर्वोच्च न्यायालय ने निर्णय के प्रस्तर 10 में यह अवधारित किया है कि अपीलार्थिनी "कर्मकार" नहीं थी। इस प्रकार माननीय सर्वोच्च न्यायालय ने माननीय उच्च न्यायालय के निर्णय की पुष्टि की।

31. उक्त विधि व्यवस्था से यह स्पष्ट है कि विपक्षी की संस्था पर औद्योगिक विवाद अधिनियम के प्राविधान लागू होते हैं और सोसायटीज रजिस्ट्रेशन अधिनियम 1860 का कोई प्राविधान इस मुकदमें की सुनवाई के सम्बन्ध में इस न्यायालय की अधिकारिता को प्रभावित नहीं करता है।

32. हिमान्यु कुमार विद्यार्थी एवं अन्य — याची, बनाम बिहार राज्य एवं अन्य— प्रत्यर्थीगण, में उभयपक्ष द्वारा स्वीकृत तथ्यों के अनुसार याची संख्या एक दिनांक 1.8.88 को सहायक के पद पर, याची संख्या दो दिनांक 10.11.89 को ड्राईवर के पद पर तथा याची संख्या 3 लगायत 5 चपरासी के पद पर 31.5.87 और 22.4.92 को, को-ऑपरेटिव ट्रेनिंग स्कूल, देवघर में प्रिन्सिपल द्वारा दैनिक वेतन भोगी के रूप में नियुक्त किए गए। उनकी सेवायें प्रिन्सिपल द्वारा समाप्त कर दी गयी जिससे क्षुब्ध होकर उन्होंने माननीय उच्च न्यायालय में याचिका प्रस्तुत की। माननीय उच्च न्यायालय की एकलपीठ ने याचीगण की याचिका निरस्त की जिसकी पुष्टि माननीय खण्डपीठ द्वारा की गयी। माननीय खण्डपीठ के निर्णय से क्षुब्ध होकर याचीगण ने माननीय सर्वोच्च न्यायालय के समक्ष विशेष अनुमति याचिका इस आधार पर प्रस्तुत की कि औद्योगिक विवाद अधिनियम 1947 की धारा 25 (एफ) के उलंघन में उनकी सेवायें समाप्त की गयी हैं अतः माननीय सर्वोच्च न्यायालय के समक्ष यह प्रश्न विचारणीय था कि क्या यह कहा जा सकता है कि याचीगण की "छटनी" कर दी गयी है जैसा कि धारा 25 (एफ) औद्योगिक विवाद अधिनियम 1947 में कहा गया है ? सम्बन्धित तथ्य एवं परिस्थितियों के मूल्यांकनोपरान्त माननीय सर्वोच्च न्यायालय ने यह पाया कि औद्योगिक विवाद अधिनियम 1947 के अन्तर्गत उनकी सेवामुक्ति "छटनी" नहीं थी। माननीय सर्वोच्च न्यायालय ने यह अवधारित किया, "every Department of the Government cannot be treated to be 'industry'. When the appointments are regulated by the statutory rules, the concept of 'industry' to that extent stands excluded. Admittedly, they were not appointed to the post in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. Under these circumstances, their disengagement from service cannot be construed to be a retrenchment under the Industrial Disputes Act. The concept of 'retrenchment' therefore, cannot be stretched to such an extent as to cover these employees. The learned counsel for the petitioners seeks to contend that in the High Court, the petitioners did not contend that it is a case of retrenchment but termination

of their services is arbitrary. Since they are only daily-wage employees and have no right to the posts, their disengagement is not arbitrary. The special leave petition is accordingly dismissed.” इस मामले में माननीय उच्च न्यायालय एवं सर्वोच्च न्यायालय ने को-ऑपरेटिव ट्रेनिंग स्कूल को “उद्योग” की परिभाषा में शामिल होने के लिए अनुपयुक्त पाया।

33. प्रार्थी पक्ष की तरफ से प्रस्तुत दृष्टान्त 2008 वेस्टर्न लॉ केसेज (राजस्थान), यू.सी. पृष्ठ 730 राजस्थान उच्च न्यायालय, (जोधपुर) (खण्डपीठ), राज्य एवं अन्य बनाम गिरिराज प्रसाद एवं अन्य में माननीय राजस्थान उच्च न्यायालय (जोधपुर) द्वारा दी गयी विधि व्यवस्था का उल्लेख किया जाना भी प्रासंगिक है जिसमें माननीय उच्च न्यायालय ने यह अवधारित किया है कि अंशकालीन कर्मचारी भी धारा 25—एफ औद्योगिक विवाद अधिनियम के लाभ का हकदार है।

34. पक्षकारों द्वारा प्रस्तुत बहस उक्त विधिक दृष्टान्तों में दी गयी विधिक व्यवस्था तथा वर्तमान मामले की तथ्य एवं परिस्थिति को दृष्टिगत रखते हुए मैं इस निष्कर्ष पर हूँ कि विपक्षी का संस्थान एक शैक्षणिक संस्थान है जो “उद्योग” की परिभाषा से आच्छादित है और प्रार्थी निर्विवाद रूप से कर्मकार की परिभाषा से आच्छादित है जैसा कि माननीय राजस्थान उच्च न्यायालय ने यह अवधारित किया है। तदनुसार इस न्यायाधिकरण को उभयपक्ष के बीच उत्पन्न विवाद से सम्बन्धित वर्तमान मामले की सुनवाई का क्षेत्राधिकार प्राप्त है।

35. विपक्षीगण की तरफ से प्रारम्भिक आपत्ति में यह उल्लेख किया गया कि प्रार्थी ने नवोदय विद्यालय समिति को पक्षकार नहीं बनाया है इसलिये आवश्यक पक्षकारों के असंयोजन के कारण वाद निरस्त होने योग्य है जिसके विरुद्ध प्रार्थी पक्ष का जवाब है कि नियोजक को पक्षकार बनाया गया है और जवाहर नवोदय विद्यालय समिति को भी पक्षकार बनाया गया है इसलिए असंयोजन का दोष नहीं है। इस सन्दर्भ में उल्लेखनीय है कि विधि की यह सुस्थापित व्यवस्था है कि किसी भी न्यायालय के समक्ष विचाराधीन वाद में वह व्यक्ति आवश्यक पक्षकार है जिसके अभाव में प्रभावित डिक्री पारित नहीं की जा सकती। वर्तमान मामले में ऐसी स्थिति नहीं है, अतः विपक्ष के पक्षकारों के असंयोजन के सम्बन्ध में प्रस्तुत कथन में कोई बल नहीं है।

36. विपक्ष की तरफ से यह प्रारम्भिक आपत्ति भी उठाई गई है कि इस मामले में सुनवाई का क्षेत्राधिकार प्रशासनिक अधिकरण को है और प्रार्थी द्वारा उठाया गया विवाद औद्योगिक विवाद अधिनियम की परिधि में नहीं आता है। उपरोक्त प्रस्तारों की व्याख्या में यह अवधारित किया गया है कि मामला औद्योगिक विवाद है और इस न्यायाधिकरण को इस मामले में सुनवाई का क्षेत्राधिकार प्राप्त है। प्रशासनिक अधिकरण अधिनियम 1985 के किसी प्राविधान में इस न्यायाधिकरण के क्षेत्राधिकार को प्रभावित नहीं किया गया है। धारा 14 (2) प्रशासनिक अधिकरण अधिनियम 1985 में ऐसी कोई व्यवस्था नहीं है जिससे इस अवधारणा को बल मिले कि वर्तमान

मामलें में इस न्यायाधिकरण को सुनवाई का अधिकार प्राप्त नहीं है, अतः विपक्ष की इस प्रारम्भिक आपत्ति में कोई बल नहीं है।

37. जहां तक संशोधित रेफरेंस के अनुसार प्रार्थी श्री हरीप्रसाद जोशी के दिनांक 13.7.96 से 14.7.2005 तक कार्यरत रहने का प्रश्न है प्रार्थी ने याचिका में प्रस्तर 2 में यह उल्लेख किया है कि उसकी नियुक्ति दिनांक 13.7.96 को रिक्त पद पर हुई थी, लेकिन कोई नियुक्ति पत्र नहीं दिया गया था। वादोत्तर में यह उल्लेख किया गया है कि तदर्थ आधार पर दैनिक वेतन भोगी के रूप में नियमित कर्मचारी के उपलब्ध होने तक के लिए वह नियोजित किया गया था। प्रार्थी की नियुक्ति दिनांक 13.7.96 को हुई इस तथ्य को वादोत्तर में स्पष्ट रूप से इन्कार नहीं किया गया है। विपक्षीगण की तरफ से प्रस्तुत अभिलेख जो याचिका की आवेदन दिनांक 11.11.2010 के अनुपालन में प्रस्तुत किया गया है उसमें जुलाई में उपस्थिति पंजिका की प्रति के अवलोकन से यह जाहिर है कि प्रार्थी दिनांक 13.7.96 को उपस्थित दर्शाया गया है इससे प्रार्थी के इस कथन के पुष्टि होती है कि दिनांक 13.7.96 को वह कार्य पर रखा गया यद्यपि उसे कोई लिखित नियुक्ति पत्र नहीं दिया गया। प्रार्थी ने प्रतिपरीक्षा में यह उल्लेख किया है कि उसे कोई नियुक्ति पत्र नहीं दिया गया था तथा इस सम्बन्ध में कोई लिखित आदेश भी नहीं दिया गया था। श्री सुधीर चन्द्र ध्यानी, प्राचार्य, जवाहर नवोदय विद्यालय, छान, जिला टोंक ने साक्ष्य में अपना शपथ पत्र प्रस्तुत किया है और प्रतिपरीक्षा में यह कहा है कि दिनांक 13.7.96 से प्रार्थी ने कार्य पर आना शुरू किया था या नहीं, इसकी जानकारी उन्हें नहीं है, परन्तु उल्लेखनीय है कि विपक्ष की तरफ से प्रस्तुत उपस्थिति पंजिका की फोटोप्रति से यह स्पष्ट है कि दिनांक 13.7.96 को प्रार्थी उपस्थिति पंजिका में उपस्थित दर्शाया गया है तथा 60 रु. प्रतिदिन की दर से कुल 15 दिन कार्य करने के लिए उसको 900 रु. का भुगतान किया गया है तथा प्रार्थी के नाम के समक्ष माह जुलाई 1996 का भुगतान प्राप्त करने के सम्बन्ध में उसके हस्ताक्षर हैं। प्रदर्श—डब्ल्यू 3 प्रार्थी की तरफ से दिनांक 17.7.2008 के आवेदन के माध्यम से प्रस्तुत अभिलेख है जिसमें जवाहर नवोदय विद्यालय, छान, के प्राचार्य द्वारा दिनांक 27.12.1996 को निर्गत प्रमाण—पत्र में दिनांक 13.7.1996 से 60 रु. प्रतिदिन की दर से प्रार्थी के चालक के रूप में कार्यरत रहने का उल्लेख किया गया है। उक्त प्रमाण—पत्र का उल्लेख प्रार्थी ने अपने शपथ—पत्र में किया है तथा नियुक्ति की तिथि का भी उल्लेख किया है। विपक्ष की तरफ से उक्त प्रमाण—पत्र जिसमें याचिका के दिनांक 13.7.96 से ड्राईवर के रूप में कार्य करने का उल्लेख है, उसके विरुद्ध ऐसी कोई सारवान प्रतिपरीक्षा नहीं की गई है जिसके आधार पर उक्त प्रमाण—पत्र को सारहीन या गलत माना जाए। प्रतिपरीक्षा में प्रार्थी ने प्रारम्भ में ही यह उल्लेख किया है कि दिनांक 13.7.96 को उसकी नियुक्ति प्रिन्सिपल, सिसोदिया द्वारा की गयी थी। प्रदर्श—3 भी श्री जी.एस. सिसोदिया, प्राचार्य द्वारा निर्गत की गयी है। उक्त उद्धृत प्रलेखों तथा उभय पक्षों के साक्ष्यों की प्रतिपरीक्षा के सम्यक अवलोकन एवं विश्लेषण से मैं इस निष्कर्ष पर हूँ कि प्रार्थी की नियुक्ति विपक्षी संस्थान में दिनांक 13.7.96 को हुई थी।

38. जहाँ तक प्रार्थी द्वारा दिनांक 13.7.96 से 14.7.2005 तक कार्यरत रहने का प्रश्न है और एक वर्ष में 240 दिन तक कार्यरत रहने का प्रश्न है इस सन्दर्भ में प्रार्थी के विद्वान अधिवक्ता की तरफ से यह बहस की गयी है कि प्रार्थी ने वर्ष में 240 दिन नियमित रूप से कार्य किया है, यह बहस भी की गयी है कि विपक्ष द्वारा सम्बन्धित अभिलेख प्रस्तुत नहीं किए गए हैं जिससे प्रार्थी के निरन्तर कार्य करने के सम्बन्ध में जानकारी मिल सके अतः इस सम्बन्ध में विपक्ष के विरुद्ध न्यायाधिकरण द्वारा प्रतिकूल अवधारणा ग्रहण करनी चाहिए। इस सम्बन्ध में याची पक्ष द्वारा विधिक दृष्टान्त 2007 ए. आई.आर., एस.सी.डब्ल्यू. पृष्ठ 1712 मैसर्स श्रीराम इण्डस्ट्रीयल एन्टरप्राइजेज बनाम महक सिंह एवं अन्य का अवलम्ब लिया गया है। इसके विरुद्ध विपक्षीगण विद्वान अधिवक्ता की तरफ से यह बहस की गयी है कि प्रार्थी ने एक वर्ष तक निरन्तर कार्य किया है और एक वर्ष की अवधि में 240 दिन कार्य अवधि रही है, इस तथ्य को सिद्ध करने का भार स्वयं याची पक्ष पर है। विपक्ष द्वारा अपने समर्थन में विधिक दृष्टान्त रेन्ज फॉरेस्ट ऑफिसर बनाम एस. टी. हादिमानी का अवलम्ब लिया गया है यह बहस भी की गयी है कि याची द्वारा मुकदमें के दौरान प्रार्थी की आवेदन दिनांकित 11.11.2010 के अनुसार जो अभिलेख कार्य करने की अवधि के सम्बन्ध में मांगे गये हैं वह विपक्ष द्वारा पत्रावली पर प्रस्तुत कर दिये गये हैं और विपक्ष द्वारा प्रस्तुत अभिलेखों में प्रार्थी के कार्य करने और भुगतान के सम्बन्ध में जो विवरण अंकित है उसके अतिरिक्त प्रार्थी ने विपक्षी के यहां कार्य नहीं किया। जहाँ तक प्रार्थी के आवेदन दिनांक 11.11.2010 में याचित अभिलेखों का प्रश्न है इस सन्दर्भ में उल्लेखनीय है कि प्रार्थी ने यह मांग की है कि वह दिनांक 13.7.96 से 15.7.2005 तक निरन्तर कार्यरत रहा है और एक कैलेण्डर वर्ष में 240 दिन काम किया है तथा उसकी हाजरी विपक्षीगण द्वारा लॉग-बुक में की जाती थी जो विपक्षीगण के कब्जे में रहती थी और प्रार्थी को मासिक वेतन वाउचर द्वारा दिया जाता था, अतः लॉग-बुक और वाउचर विपक्ष द्वारा न्यायालय के समक्ष प्रस्तुत कराया जाए। इस आवेदन के अनुपालन में दिनांक 21.2.2011 को विपक्ष द्वारा अभिलेख प्रस्तुत किया गया है और प्रार्थी के विद्वान प्रतिनिधि द्वारा दिनांक 9.8.2011 को न्यायाधिकरण के समक्ष यह स्वीकार किया गया है कि प्रार्थी द्वारा वाञ्छित दस्तावेज दिनांक 06-04-11 को प्रस्तुत कर दिया गया है। प्रार्थी पक्ष द्वारा प्रस्तुत अभिलेखों के विरुद्ध कोई आपत्ति नहीं की गयी है कि कोई वाञ्छित अभिलेख विपक्ष द्वारा रोक रखा गया है। दिनांक 21.2.11, 26.4.2011 और दिनांक 9.8.2011 के आदेश तालिका के अवलोकन से उक्त तथ्य स्पष्ट है। उक्त तथ्य एवं परिस्थिति में प्रार्थी पक्ष के लिए यह कहने के लिए कोई गुन्जाइश नहीं है कि विपक्ष ने प्रार्थी की उपस्थिति, कार्य करने के अवधि अथवा भुगतान से सम्बन्धित वाञ्छित अभिलेख नहीं प्रस्तुत किए हैं और उन्हें रोक रखा है। जहां तक लॉग-बुक प्रस्तुत करने का प्रश्न है भुगतान का विवरण यह दर्शाता है कि भुगतान हेतु कार्य दिवसों का आगणन लॉग-बुक पर ही आधारित है जिसकी पुष्टि अभिलेख ई.एम.-4 से होती है।

39. विपक्ष की तरफ से प्रार्थी द्वारा विपक्ष के संस्थान में कार्य करने से सम्बन्धित जो उपस्थिति पंजिका और भुगतान विवरण एवं वाउचर प्रस्तुत किया गया है वह निम्न प्रकार है : —

माह	कार्य किए गए दिनों की संख्या + अवकाश	अनुपस्थित
13 से 31 जुलाई 96	15 + 4 = 19	
अगस्त 96	27 + 4 = 31	
सितम्बर 96	25 + 5 = 30	
अक्टूबर 96	27 + 4 = 31	
नवम्बर 96	26 + 4 = 30	
दिसम्बर 96	26 + 5 = 31	
जनवरी 97	04 + 0 = 4	
फरवरी से 7 दिसम्बर 97	.....	अनुपस्थित
दिसम्बर 97	21 + 3 = 24	
जनवरी 98 से फरवरी 98	.....	अनुपस्थित
मार्च 98	24 + 6 = 30	
अप्रैल 98	25 + 5 = 30	
मई 98 से 17 अगस्त 98	.....	अनुपस्थित
अगस्त 98	12 + 2 = 14	
4,7,8,9,13,17,20,30 सितम्बर 98	22 + 2 = 24	
अक्टूबर व नवम्बर 98	.....	अनुपस्थित
दिसम्बर 98	23 + 2 = 25	6 दिन
जनवरी 99	26 + 5 = 31	
फरवरी 99	24 + 4 = 28	
मार्च 99	25 + 6 = 31	
अप्रैल 99 से फरवरी 2003	.....	अनुपस्थित
मार्च 2003	3 + 0 = 3	28 दिन
अप्रैल 03 से दिसम्बर 04	.....	अनुपस्थित
जनवरी 2005	04 + 00 = 4 दिन	
फरवरी 05	.....	अनुपस्थित
मार्च 05	02 + 00 = 2 दिन	
अप्रैल 05	01 + 00 = 1 दिन	
मई 05	05 + 00 = 5 दिन	
जून 05	.....	अनुपस्थित
जुलाई 05	14 + 00 = 14 दिन	

(मार्च 99 तक विवरण हाजिरी रजिस्टर पर आधारित है तथा शेष भुगतान वाउचर पर आधारित है। जिस माह में अवकाश के दिन कार्य दिवसों की संख्या में नहीं जोड़ा गया है उस माह में आवेदक की हाजिरी लगातार नहीं है अथवा बहुत कम रही है।)

40. प्रार्थी द्वारा स्वयं सहायक श्रम आयुक्त महोदय (केन्द्रीय), कोटा के समक्ष अपने कार्य अवधि का विवरण प्रस्तुत किया गया है जो स्वाभाविक रूप से प्रार्थी को स्वीकार है। यह आवेदन दिनांकित 6.2.2006 है जिसमें प्रार्थी ने कार्य अवधि का विवरण निम्न प्रकार दिया है :-

“यह कि अप्रार्थी बीच-बीच में प्रार्थी को कार्य नहीं देता था परन्तु प्रार्थी ने 12 कलैण्डर माह में 240 दिन कार्य किया है कार्य का विवरण जो प्रार्थी के पास उपलब्ध है निम्न प्रकार है:-

13-7-96 से 2-1-97	3-3-03 से 8-3-03	25-5-05
10-12-97 से 30-5-98	26-3-03 से 30-3-03	8-6-05
31-7-98 से 15-10-98	21-8-03 से 22-8-03	22-6-05 से 14-7-05
7-12-98 से 17-3-99	26-6-04 से 3-1-05	
23-4-99 से 28-4-99	6-1-05 से 14-3-05	
31-5-99 से 9-6-99	2-4-05 से 12-5-05	

41. 2007 ए.आई.आर., एस.सी.डब्ल्यू. पृष्ठ 1712 मैसर्स श्रीराम इण्डस्ट्रीयल एन्टरप्राइजेज बनाम महक सिंह एवं अन्य में 240 दिन की अवधि की सेवा को साबित करने एवं प्रतिकूल अवधारणा ग्रहण करने के सम्बन्ध में माननीय सर्वोच्च न्यायालय ने निर्णय के प्रस्तर 32, 33, व 34 में यह अवधारित किया है :-

“32. The said approach in our view was erroneous in view of the decision of this Court in the case of U.P. Drugs and Pharmaceuticals Company Ltd. (Supra). The petitioner had wrongly described the documents relating to attendance for the years 1991 onwards as far as the respondents are concerned, as being irrelevant and the Tribunal has also accepted the said reasoning. Consequently, instead of drawing an adverse presumption for non-production of the said records, the Tribunal accepted the contention of the petitioner that the workmen had not worked for more than 240 days in the year preceding the date of their termination nor had the workmen filed any proof to show otherwise.

33. In our view, the High Court adopted the correct approach while deciding the controversy between the parties upon a correct understanding of the law as contained in Section 6 N read with Section 2 (g) of the U.P. Act which is applicable to these petitions.

34. Having correctly interpreted the provisions of Section 6 N of the U.P. Act, the High Court rightly drew an adverse presumption for non-production of the attendance Registers and the Muster Roll for the

years 1991 onwards. The best evidence having been withheld, the High Court was entitled to draw such adverse inference. The view expressed by this Court on the question of burden of proof in Range Forest Officer's case (supra) were watered down by the subsequent decision in R.M. Yellatty's case (supra) and in our view the workmen had discharged their initial onus by production of the document in their possession”.

42. जहां तक वर्तमान मामले में विपक्षीगण के विरुद्ध धारा 114 भारतीय साक्ष्य अधिनियम के अन्तर्गत प्रतिकूल अवधारणा ग्रहण किए जाने का प्रश्न है इस सन्दर्भ में उल्लेखनीय है कि न्यायाधिकरण के समक्ष अभिलेखों की प्रस्तुति से सम्बन्धित याची की मांग और विपक्षी द्वारा की गयी पूर्ति के बाद कोई आपत्ति नहीं की गयी है कि अमुक अवधि के लिए हाजिरी रजिस्टर अथवा भुगतान वाउचर विपक्षी द्वारा प्रस्तुत नहीं किया गया है बल्कि तत्कालीन विद्वान पीठासीन अधिकारी ने आदेश दिनांक 9.8.2011 में यह उल्लेख किया है कि प्रार्थी के प्रतिनिधि का कहना है कि प्रार्थी द्वारा वांछित दस्तावेज दिनांक 6.4.2011 (सही तिथि 21.2.11) को प्रस्तुत हो चुकी है। इस सम्बन्ध में दिनांक 9.8.2011 के आदेश को इस स्तर पर उद्धृत करना मैं आवश्यक समझता हूँ जो निम्नवत है :-

“उभयपक्ष के प्रतिनिधिगण उपस्थित। प्रार्थी ने दिनांक 11.11.2010 को एक आवेदन अप्रार्थी से दस्तावेजात प्रस्तुत करवाने हेतु प्रस्तुत किया। प्रार्थी के प्रतिनिधिगण का कहना है कि प्रार्थी द्वारा वांछित दस्तावेजात दिनांक 6.4.2011 को पेश हो चुके हैं। अतः उक्त प्रार्थना-पत्र का निस्तारण उक्त प्रकार किया जाता है।

प्रार्थी का शपथ-पत्र साक्ष्य में प्रस्तुत किया। प्रति अप्रार्थी को प्रति दी गई। जिरह हेतु अवसर चाहा। पत्रावली वास्ते जिरह दिनांक 29.9.2011 को पेश हो।”

43. 1963 ii L.L.J. पृष्ठ 367, एस.सी.सी. (पूर्णपीठ) सूर इनमेल एण्ड स्टैम्पिंग वर्क्स लिमिटेड बनाम कर्मचारीगण में माननीय सर्वोच्च न्यायालय ने औद्योगिक विवाद अधिनियम 1947 की धारा 25-बी एवं 25-एफ की व्याख्या करते हुए यह अवधारित किया है कि (एक वर्ष लगातार सेवा) से यह तात्पर्य है कि पूरी एक कैलेंडर वर्ष से कम सेवा अवधि नहीं होनी चाहिए और कर्मचारी ने यदि केवल ग्यारह माह तक सेवा की है जिसमें उसने 240 दिन से भी ज्यादा कार्य कर लिया है तो भी ऐसी स्थिति में वह धारा 25-एफ औद्योगिक विवाद अधिनियम के लाभ का हकदार नहीं होगा।

44. रेन्ज फॉरेस्ट ऑफिसर बनाम एस. टी. हादिमानी में माननीय सर्वोच्च न्यायालय ने निर्णय के प्रस्तर 3 में यह अवधारित किया है “In our opinion the tribunal was not right in placing the onus on the management without first determining on the basis of cogent evidence that the respondent had worked for more than 240 days in the year preceding his termination. It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked

for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that cannot be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact, worked for 240 days in a year. No proof of receipt of salary or wages for 240 days or order or record of appointment or engagement for this period was produced by the workman. On this ground alone, the award is liable to be set aside”.

45. विपक्षीगण की तरफ से उक्त दृष्टान्त इस सन्दर्भ में प्रस्तुत किया गया है कि प्रार्थी ने कैलेण्डर वर्ष में 240 दिन निरन्तर कार्य किया है इस तथ्य को सिद्ध करने का भार स्वयं याची पक्ष पर है प्रार्थी पक्ष की तरफ से मैसर्स श्रीराम इण्डस्ट्रीयल एन्टरप्राइजेज बनाम महक सिंह एवं अन्य का दृष्टान्त प्रार्थी पक्ष की तरफ से इस उद्देश्य के लिए प्रस्तुत किया गया है कि विपक्षी के विरुद्ध अभिलेख प्रस्तुत न किया जाने के सन्दर्भ में याची के पक्ष में 240 दिन निरन्तर कार्य करने के सम्बन्ध में प्रतिकूल अवधारणा ग्रहण की जाय। मैसर्स श्रीराम इण्डस्ट्रीयल प्राइवेट लिमिटेड बनाम महक सिंह एवं अन्य के मामले में प्रत्यर्थीगण ने अपनी याचिका में यह उल्लेख किया कि वे 1987 से 1991 के बीच नियुक्त हुए और नियुक्ति की तिथि से लेकर छंटनी तक क्रमशः सन् 1994 एवं 1995 तक कार्य किया। याचीगण का कथन था यद्यपि उन्होंने एक कैलेण्डर वर्ष में 240 दिन से ज्यादा काम किया, फिर भी उनकी छंटनी अवैधानिक तरीके से धारा 2 (जी) उत्तर प्रदेश औद्योगिक विवाद अधिनियम 1947 के प्रावधान के विरुद्ध की गयी। प्रत्यर्थीगण की कुल संख्या 5 थी जिनसे सम्बन्धित 5 विवाद न्यायाधिकरण को निणयार्थ प्रेषित किये गये। प्रत्यर्थीगण की तरफ से यह भी कहा गया था कि उन्हें ग्रेड नम्बर, प्रॉविडेण्ट फण्ड नम्बर का आबंटन हुआ था। सेवा सम्बन्धी अन्य सुविधाएँ स्वीकार की गयी थी और उन्होंने सेवा सम्बन्धी अन्य लाभ की माँग की, जिसके लिए वे हकदार थे, इसलिए उनकी सेवाएँ बिना किसी प्रकार की नोटिस दिए समाप्त कर दी गयी। याची (प्रबन्धन) का कथन था कि चीनी उद्योग एक मौसमी उद्योग है और कार्य में संलग्न अधिकांश कर्मचारियों की नियुक्ति आकस्मिक एवं अस्थायी प्रकृति की है। प्रबन्धन की तरफ से यह भी कहा गया कि वास्तविक विवाद सेवा की समाप्ति का नहीं था बल्कि प्रत्यर्थीगण की नियमितिकरण का था एवं प्रत्यर्थीगण की सेवाएँ कभी समाप्त नहीं की गयी, क्योंकि किसी भी प्रत्यर्थी ने कथित सेवा समाप्ति की तिथि के ठीक पूर्व 12 महीनों में 240 दिन काम नहीं किया। प्रत्यर्थीगण ने अपने समर्थन में बोनस पर्ची, वेतन पर्ची, प्रॉविडेण्ट से सम्बन्धित कटौती की पर्ची, विभिन्न महिनो से सम्बन्धित उपस्थिति कार्ड और अन्य उपलब्ध अभिलेख प्रस्तुत किया था और प्रबन्धन से उपस्थिति पंजिका, बोनस भुगतान से सम्बन्धित अभिलेख और अपनी सेवा से सम्बन्धित अन्य अभिलेख प्रस्तुत करने की प्रार्थना की थी। प्रबन्धन द्वारा सेवा समाप्ति के ठीक पूर्व 12 महीने की अवधि (एक कैलेण्डर वर्ष) की उपस्थिति पंजिका से सम्बन्धित अभिलेख प्रस्तुत किया गया था, जिससे यह जाहिर था कि उस अवधि में किसी भी कर्मचारी द्वारा 240 दिन काम नहीं किया गया था। प्रबन्धन द्वारा शेष विगत अवधि की उपस्थिति पंजिका न प्रस्तुत करने का कोई अकाट्य कारण

नहीं दर्शाया गया था। प्रत्यर्थीगण को न्यायाधिकरण द्वारा द्वितीयक साक्ष्य प्रस्तुत करने की अनुमति प्रदान की गयी। न्यायाधिकरण ने प्रत्यर्थीगण की याचिकाएँ इस आधार पर निरस्त की, कि किसी भी प्रत्यर्थी ने एक कैलेण्डर वर्ष में 240 दिन सेवा नहीं की। प्रबन्धन द्वारा उपस्थिति से सम्बन्धित शेष अवधि से सम्बन्धित अभिलेख न प्रस्तुत करने के बिन्दुओं पर न्यायाधिकरण द्वारा इस आधार पर विशेष महत्व नहीं दिया गया कि प्रबन्धन द्वारा अस्थायी कर्मचारियों से सम्बन्धित ऐसे अभिलेखों का रख-रखाव नहीं किया जाता।

46. उत्तर प्रदेश औद्योगिक विवाद अधिनियम की धारा 2—जी में यह प्राविधान है कि सेवा समाप्ति की तिथि के ठीक पूर्व कैलेण्डर वर्ष में 240 दिन की सेवा करने की बजाय, किसी भी कैलेण्डर वर्ष में सेवा के दौरान यदि कर्मचारी ने 240 दिन की सेवा की है तो उसकी छंटनी बिना नोटिस दिये नहीं की जा सकती। तदनुसार न्यायाधिकरण के निर्णय के विरुद्ध प्रत्यर्थीगण ने माननीय उच्च न्यायालय के समक्ष अलग-अलग रिट याचिकाएँ प्रस्तुत की। प्रबन्धन द्वारा केवल सेवा समाप्ति की तिथि के ठीक पूर्व कैलेण्डर वर्ष की उपस्थिति पंजिका प्रस्तुत की गयी थी और शेष अवधि से सम्बन्धित पंजिका प्रस्तुत नहीं की गयी थी जिस अवधि में प्रत्यर्थीगण ने सेवा की थी। धारा 6—एन के प्राविधान के अनुसार 240 दिन की सेवा किसी भी कैलेण्डर वर्ष में धारा 2—जी के उद्देश्य के लिए पर्याप्त थी। अतः शेष अवधि से सम्बन्धित अभिलेखों के प्रस्तुत न होने के कारण माननीय उच्च न्यायालय ने भारतीय साक्ष्य अधिनियम 1872 की धारा 114 के अन्तर्गत प्रबन्धन के विरुद्ध प्रतिकूल अवधारणा ग्रहण की तथा सभी रिट याचिकाएँ स्वीकार की, जिसके विरुद्ध याची ने माननीय सर्वोच्च न्यायालय के समक्ष विशेष अनुमति याचिका प्रस्तुत की। माननीय सर्वोच्च न्यायालय के समक्ष याची द्वारा रेन्ज ऑफिसर बनाम हादिमानी सहित अनेक विधिक दृष्टान्तों का अवलम्ब लिया गया। माननीय सर्वोच्च न्यायालय ने याची की याचिका निरस्त की और निर्णय के प्रस्तर 34 में यह अवधारित किया :—

34. Having correctly interpreted the provisions of Section 6 N of the U.P. Act, the High Court rightly drew an adverse presumption for non-production of the attendance Registers and the Muster Roll for the years 1991 onwards. The best evidence having been withheld, the High Court was entitled to draw such adverse inference. The view expressed by this Court on the question of burden of proof in Range Forest Officer's case (supra) were watered down by the subsequent decision in R.M. Yellatty's case (supra) and in our view the workmen had discharged their initial onus by production of the document in their possession”.

47. वर्तमान प्रकरण में दिनांक 9.8.2011 के आदेशानुसार प्रार्थी पक्ष ने स्वयं स्वीकार किया है कि वाञ्छित अभिलेख जिसकी माँग प्रार्थी पक्ष द्वारा की गयी है वह पेश हो चुके हैं जिसका तात्पर्य यह है कि विपक्षीगण के कब्जे में कोई अभिलेख शेष नहीं रह गया है जिसे प्रस्तुत होने की प्रार्थी पक्ष को अपेक्षा हो। पत्रावली पर उपलब्ध प्रार्थी पक्ष की आवेदन के अनुपालन में विपक्षी की तरफ

से प्रस्तुत अभिलेख के अवलोकन से यह स्पष्ट है कि नियुक्ति की तिथि से जुलाई 2005 तक के भुगतान वाउचर एवं उपस्थिति पंजिका की प्रति प्रस्तुत की गयी है। प्रार्थी पक्ष द्वारा मैसर्स श्रीराम इण्डस्ट्रीयल एन्टरप्राइजेज बनाम महक सिंह एवं अन्य के मामले से कोई मदद ली जा सकती है, क्योंकि उक्त मामले में विपक्ष ने केवल सेवामुक्ति के ठीक पूर्व एक साल की अवधि की उपस्थिति पंजिका का विवरण प्रस्तुत किया था जबकि उ. प्र. औद्योगिक विवाद अधिनियम की धारा 2 (जी) के प्राविधान में "पूर्ववर्ती" शब्द का लोप होने के कारण किसी कैलेंडर वर्ष में कर्मकार की 240 दिन की सेवा "लगातार सेवा" के उद्देश्य से पर्याप्त थी। शेष अवधि के अभिलेख विपक्ष द्वारा प्रस्तुत नहीं किये गये थे, अतः माननीय उच्च न्यायालय ने विपक्ष के विरुद्ध प्रतिकूल अवधारणा ग्रहण की थी। वर्तमान मामले में विपक्ष ने अभिलेख नियुक्ति से लेकर सेवा समाप्ति तक प्रस्तुत किये हैं, अतः धारा 114 भारतीय साक्ष्य अधिनियम के अन्तर्गत प्रार्थी के पक्ष में विपक्षीगण के विरुद्ध प्रतिकूल अवधारणा ग्रहण करने के कोई विधिक स्थिति उत्पन्न नहीं होती, अतः मैं इस निष्कर्ष पर हूँ कि वर्तमान मामले की तथ्य एवं परिस्थिति में प्रार्थी हरिप्रसाद जोशी को धारा 25—(एफ) औद्योगिक विवाद अधिनियम का लाभ नहीं प्राप्त हो सकता।

48. जहां तक प्रार्थी की नियुक्ति की प्रकृति का प्रश्न है, याचिका में उसके द्वारा कहा गया है कि उसकी नियुक्ति रिक्त स्थान पर हुई थी, लेकिन उसे कोई नियुक्ति पत्र नहीं मिला था जिस तथ्य को वादोत्तर में इन्कार किया गया है और कहा गया है कि कार्य की उपलब्धता के कारण तदर्थ आधार पर दैनिक वेतन भोगी के रूप में उसे नियोजित किया गया था और विशिष्ट रूप से यह उल्लेख भी किया गया है कि उसकी नियुक्ति किसी पद पर नहीं की गयी थी। प्राचार्य, श्री सुधीर चन्द ध्यानी ने अपने शपथ-पत्र में उक्त तथ्य को दोहराया है। नियुक्ति दिये जाने के सम्बन्ध में प्रतिपरीक्षा में प्रार्थी ने पृष्ठ 1 पर स्वीकार किया है कि प्राचार्य, ने मौखिक रूप से उसे बुलाया था और प्रार्थी से लिखवाया था कि सही ढंग से काम करेंगे और यह लिखवाया हुआ कागज उन्हीं के पास है। यह भी कहा है कि रोजगार कार्यालय से चालक हेतु कोई सूची नहीं मंगवाई थी। यह भी कहा है कि प्राचार्य जिन्होंने प्रार्थी को नियुक्त किया उनसे प्रार्थी की कोई व्यक्तिगत जानकारी नहीं है और विद्यालय के ही एक लिपिक प्रार्थी को लेकर गये थे लेकिन उनके नाम का ध्यान नहीं है। भुगतान के सम्बन्ध में विपक्ष द्वारा पत्रावली पर प्रस्तुत विवरण से यह विदित होता है कि प्रार्थी जुलाई 1996 से 60 रु. दैनिक मजदूरी पर नियुक्त किया गया था और यह दर मार्च 1999 तक विद्यमान थी। इसके बाद मार्च 2003 में प्रार्थी को 75 रु. प्रतिदिन की दर से भुगतान किया गया है और जनवरी 2005 से सेवामुक्ति तक 100 रु. प्रतिदिन की दर से भुगतान किया गया है। मई 2005 और जुलाई 05 के भुगतान के विवरण से यह जाहिर है कि मई 05 में विद्यालय के वाहन चालक के अवकाश पर होने के कारण और जुलाई 05 में विद्यालय के वाहन चालक के जयपुर क्षेत्रीय कार्यालय में अस्थायी रूप से ड्यूटी पर होने के कारण उस अवधि में प्रार्थी को कार्य दिया गया है।

उक्त अवधि के लिये भुगतान पर प्रार्थी के हस्ताक्षर हैं जिस अभिलेख में उक्त बात अंकित है कि विद्यालय के वाहन चालक के क्रमशः अवकाश एवं जयपुर कार्यालय में ड्यूटी पर होने के कारण प्रार्थी को कार्य पर रखा गया है। प्राचार्य के शपथ-पत्र के प्रस्तर 3 में उक्त नियुक्ति की प्रकृति का उल्लेख है। प्रतिपरीक्षा में भी प्राचार्य ने कहा है कि प्रार्थी ने 2005 में अन्तिम रूप से काम किया था और प्रार्थी को बीच-बीच में बुलाते रहते थे। प्रार्थी ने भी प्रतिपरीक्षा में पृष्ठ 2 पर यह उल्लेख किया है कि दिनांक 13.7.96 से 22.2.99 तक उसने लगातार काम किया था और एक वर्ष में 240 दिन से अधिक काम किया था लेकिन इस तथ्य का समर्थन उसके समझौता अधिकारी के समक्ष 6.2.06 के आवेदन से नहीं होता है। आगे यह कहा है कि वह सन् 1999 से 2003 के बीच काम किया था तथा सन् 2003 में कितने दिन कार्य किया वह नहीं बता सकता। याचिका में प्रार्थी ने कहा है कि उसे 09.8.99 को विपक्षी ने कार्य देना बन्द कर दिया और पृष्ठ 3 पर साक्ष्य में यह कहा है कि 9.8.99 को विपक्षी ने उसे सेवामुक्ति नहीं किया बल्कि 22.2.99 को सेवा मुक्त किया। याचिका में अन्ततः 15.7.2005 को अन्तिम बार कार्यमुक्त होने का उल्लेख है परन्तु साक्ष्य में कहा है कि उसे ध्यान नहीं है कि 15.7.99 को उसे सेवामुक्ति किया गया या नहीं। प्रार्थी की याचिका में ऐसा कोई उल्लेख नहीं है कि उसने 13.7.96 से 22.2.99 तक लगातार काम किया बल्कि यह उल्लेख है कि जब 9.8.99 तक एक कैलेंडर वर्ष में 240 दिन से अधिक कार्य कर लिया तो विपक्षी ने कार्य देना बन्द कर दिया। इस प्रकार प्रार्थी की याचिका के कथन और प्रतिपरीक्षा में आये साक्ष्य तथा प्रस्तुत शपथ-पत्र के साक्ष्य में कोई साम्यता नहीं है। इससे यह निष्कर्ष निकलता है कि प्रार्थी द्वारा याचिका के कथन को साबित नहीं किया गया है। विपक्षीगण द्वारा प्रार्थी के कार्य अवधि के सम्बन्ध में जुलाई 1996 से लेकर जुलाई 2005 तक के प्रस्तुत विवरण से यह निष्कर्ष निकलता है कि प्रार्थी ने कार्यमुक्ति की तिथि दिनांक 15.7.2005 के ठीक पूर्व कैलेंडर वर्ष में 240 दिन कार्य नहीं किया है। याचिका ने स्वयं दिनांक 6.2.2006 के आवेदन में अपनी कार्य अवधि का जो उपरोक्त विवरण प्रस्तुत किया है उससे भी सेवामुक्ति की तिथि के ठीक पूर्व कैलेंडर वर्ष में 240 दिन कार्य करने की पुष्टि नहीं होती है। साक्ष्य की उक्त व्याख्या से यह भी निष्कर्ष निकलता है कि याचिका की नियुक्ति की प्रकृति दैनिक वेतन भोगी थी।

49. प्रार्थी के विद्वान अधिवक्ता की तरफ से यह बहस कि गयी है कि विपक्ष द्वारा प्रार्थी को सेवा से हटाने के बाद विपक्षी ने दूसरे अन्य व्यक्तियों को काम दिया जबकि प्रार्थी से कनिष्क व्यक्ति सेवा में बने रहे, इस प्रकार प्रार्थी को विपक्ष द्वारा अवसर नहीं दिया गया, जिससे धारा 25—जी एवं धारा 25—एच का उल्लंघन हुआ है। लिखित बहस के प्रस्तर 11 में उक्त बात कही गयी है और इस सम्बन्ध में 2005 वेस्टर्न लॉ कंसेज (राजस्थान), यू.सी., पृष्ठ 737, राजस्थान उच्च न्यायालय (जयपुर खण्डपीठ), डायरेक्टर दूरदर्शन केन्द्र बनाम दि जज, केन्द्रीय अधिकरण एवं अन्य के दृष्टान्त का अवलम्ब लिया गया है, इसके विरुद्ध विपक्षी के विद्वान अधिवक्ता

की तरफ से यह बहस की गयी है कि प्रार्थी को कभी नियुक्ति नहीं दी गयी और जब कार्य की आवश्यकता होती थी तो उसे बुलाया जाता था इसलिये प्रार्थी को नियुक्ति देने अथवा हटाने का प्रश्न नहीं उठता है। यह बहस भी कि गयी है कि प्रार्थी के मामले में विपक्षीगण द्वारा धारा 25—जी एवं धारा 25—एच का उल्लंघन नहीं किया गया तथा प्रार्थी दैनिक वेतन भोगी कर्मचारी है जिसे केवल कार्य की उपलब्धता होने पर ही रखा जाता था और जितने दिन कार्य करता था उतने दिन की मजदूरी दी जाती थी, इसलिये भी धारा 25—जी एवं धारा 25—एच का उल्लंघन का प्रश्न नहीं उठता है। डायरेक्टर दूरदर्शन केन्द्र बनाम दि जज, केन्द्रीय अधिकरण एवं अन्य में माननीय उच्च न्यायालय ने यह अवधारित किया है कि यदि कर्मकार ने केवल 95 दिन की सेवा की है तो वह धारा 25—एफ औद्योगिक विवाद अधिनियम के अन्तर्गत उपलब्ध लाभ का हकदार नहीं है, लेकिन यदि कर्मकार की तुलना में उससे कनिष्ठ कर्मचारी सेवा में रखा गया है तो ऐसी स्थिति में उस कर्मकार की सेवा समाप्ति का आदेश खण्डित किया जाना विधिक संगत है जिसे केवल 95 दिन ही सेवा की थी। माननीय उच्च न्यायालय ने यह भी अवधारित किया है कि धारा 25—जी एवं धारा 25—एच की व्यवस्था धारा 25—एफ की व्यवस्था की तुलना में भिन्न एवं स्वतन्त्र है, जिसका तात्पर्य यह है कि एक कर्मकार धारा 25—एफ के लाभ का हकदार नहीं भी है फिर भी धारा 25—जी एवं धारा 25—एच का उल्लंघन होने पर उसके अधीन मिलने वाले लाभ का हकदार है। इस मामले में प्रत्यर्थी कर्मचारी 3.7.1987 को नियुक्त हुआ था और 31.10.87 तक सेवा की और 1.11.87 को बिना कोई कारण बताए उसकी सेवा समाप्त कर दी गयी थी। नियोजक द्वारा जब प्रत्यर्थी को हटाया गया तो उस समय कनिष्ठ कर्मचारी कार्यरत थे और इस बात का साक्ष्य था कि हटाने के बाद नियोजक ने दैनिक मजदूरी पर अन्य लोगों को नियोजित किया। उक्त स्थिति में न्यायाधिकरण ने प्रत्यर्थी की सेवा समाप्ति का आदेश निरस्त किया जिसके विरुद्ध याचिका माननीय उच्च न्यायालय द्वारा निरस्त की गयी।

50. प्रार्थी हरि प्रसाद जोशी के मामले में याचिका के प्रस्तर 4 में कहा गया है कि प्रार्थी को हटाने के बाद विपक्षी नया ड्राईवर रखकर चालक का काम करवा रहा है जिससे धारा 25—एच का उल्लंघन है, लेकिन याचिका में नये चालक का नाम तथा उसकी नियुक्ति की तिथि का कोई उल्लेख नहीं है केवल धारा 25—एच के उल्लंघन का उल्लेख है। साक्ष्य में प्रस्तुत शपथ—पत्र में प्रार्थी ने यह उल्लेख किया है कि कमल कुमार योगी पुत्र श्री श्रवण कुमार योगी को विपक्ष ने चालक के पद पर रख लिया लेकिन प्रार्थी को नहीं रखा। कमल कुमार योगी की नियुक्ति की तिथि शपथ—पत्र में अंकित नहीं है। इस सम्बन्ध में कोई प्रलेखीय साक्ष्य याचिका की तरफ से प्रस्तुत नहीं है। इस सम्बन्ध में विपक्ष द्वारा वादोत्तर में इन्कार किया गया है। समझौता अधिकारी के समक्ष प्रस्तुत प्रार्थी के आवेदन दिनांकित 6.2.2006 से यह जाहिर है कि प्रार्थी नवोदय विद्यालय सिरौही में ड्राईवर के पद पर साक्षात्कार हेतु अप्रैल 98 के बाद किसी समय उपस्थित हुआ था लेकिन वह सफल नहीं रहा। अपनी प्रतिपरीक्षा में कमल कुमार योगी की

नियुक्ति के सम्बन्ध में प्रार्थी ने कहा है कि कमल कुमार योगी की नियुक्ति के सम्बन्ध कोई आदेश पत्रावली पर प्रस्तुत नहीं किया है तथा उसे यह भी ध्यान नहीं है कि किस प्राचार्य ने कमल कुमार योगी को नौकरी दी थी। इस सम्बन्ध में प्राचार्य, श्री सुधीर चन्द्र ध्यानी के शपथ—पत्र में किसी की नियुक्ति का कोई उल्लेख नहीं है और प्रार्थी के सम्बन्ध में कहा गया है कि उसे पूर्ण रूप से तदर्थ आधार पर कार्य की उपलब्धता रहने तक दैनिक वेतन भोगी के रूप में नियमित कर्मचारी के उपलब्ध होने तक नियोजित किया गया था। प्रतिपरीक्षा में प्राचार्य ने कमल कुमार योगी के सम्बन्ध में यह उल्लेख किया है कि उन्हें जानकारी नहीं है कमल कुमार योगी को प्रार्थी की जगह बाद में रखा गया था या नहीं। प्रार्थी हरि प्रसाद जोशी के सम्बन्ध में प्राचार्य ने कहा है कि जरूरत पड़ने पर हरि प्रसाद जोशी को कार्य हेतु रखा जाता था और जरूरत समाप्त होने पर वह खुद ही चला जाता था। प्राचार्य ने यह स्वीकार किया है कि वर्तमान में चालक का काम ठेकेदार के माध्यम से कान्ट्रेक्ट के द्वारा करवाया जाता है। उभयपक्ष के उक्त साक्ष्य से प्रार्थी की जगह किसी अन्य व्यक्ति कमल कुमार योगी की नियुक्ति की पुष्टि नहीं होती। अतः मैं इस निष्कर्ष पर हूँ कि प्रार्थी को धारा 25—जी अथवा 25—एच के अन्तर्गत किसी प्रकार का लाभ प्रदान किया जाने कि विधिक स्थिति उपलब्ध नहीं है।

51. प्रार्थी की तरफ से प्रस्तुत 2003 वेस्टर्न लॉ केसेज (राजस्थान), यू.सी. पृष्ठ 523 राजस्थान उच्च न्यायालय (जयपुर खण्डपीठ), जनरल मैनेजर बनाम दि लेबर कोर्ट व अन्य में माननीय राजस्थान उच्च न्यायालय (जोधपुर) (खण्डपीठ) ने यह यह अवधारित किया है कि यदि कर्मकार की सेवा समाप्ति विधि मान्य नहीं है तो कर्मकार की सेवा में पुनः स्थापना विगत वेतन के साथ की जावेगी, जब तक की नियोजक यह सिद्ध न कर दे कि कर्मकार कहीं अन्यत्र लाभ सहित नियोजित था। माननीय उच्च न्यायालय ने यह भी अवधारित किया है कि केवल निर्वाह के लिये कर्मकार द्वारा कुछ भी कार्य कर लेना लाभ सहित नियोजन नहीं माना जा सकता।

52. 2005 (4) पृष्ठ 90, वेस्टर्न लॉ केसेज, राजस्थान उच्च न्यायालय (जोधपुर), यूनियन ऑफ इण्डिया एवं अन्य बनाम श्रम न्यायालय एवं अन्य के मामले में श्रम न्यायालय द्वारा प्रत्यर्थी की याचिका स्वीकार की गयी और प्रत्यर्थी की विधि विरुद्ध सेवा समाप्ति निरस्त की गयी और 50 प्रतिशत विगत वेतन के साथ सेवा में पुनर्स्थापित करने का आदेश पारित किया गया। प्रत्यर्थी द्वारा सेवा समाप्ति के 11 साल बाद विवाद उठाया गया था। श्रम न्यायालय के निर्णय के विरुद्ध माननीय उच्च न्यायालय के समक्ष याचिका प्रस्तुत की गयी जिसमें माननीय उच्च न्यायालय ने यह अवधारित किया कि श्रम न्यायालय के निर्णय में कोई त्रुटि या अवैधानिकता नहीं है। याचिका तदनुसार निरस्त की गयी।

53. पक्षकारों के अभिवचनों तथा उसके समर्थन में उभयपक्ष द्वारा प्रस्तुत साक्ष्य एवं विधिक दृष्टान्तों की उक्त व्याख्या एवं विश्लेषण के आधार पर मैं इस निष्कर्ष पर हूँ कि प्रार्थी हरि प्रसाद जोशी ने 13.7.1996 नियुक्ति की कथित तिथि और सेवासमाप्ति की तिथि 14.7.2005 के बीच सेवासमाप्ति के ठीक पूर्व एक कैलेण्डर

वर्ष की अवधि में 240 दिन की निरन्तर सेवा प्रिन्सिपल, नवोदय विद्यालय, ग्राम—छान, जिला—टोंक के अधीन नहीं की है, तथा प्रिन्सिपल, नवोदय विद्यालय द्वारा दिनांक 15.7.2005 को हरि प्रसाद जोशी की सेवा समाप्ति वैध एवं उचित है और कर्मकार किसी अनुतोष का हकदार नहीं है। न्यायनिर्णयन हेतु प्रेषित निर्देश का उत्तर उक्त प्रकार दिया जाता है। पंचाट तदनुसार पारित किया जाता है।

54. पंचाट की प्रतिलिपि केन्द्रीय सरकार को औद्योगिक विवाद अधिनियम 1947 की धारा 17 (1) के अन्तर्गत प्रकाशनार्थ प्रेषित की जाय।

भरत पाण्डेय, पीठासीन अधिकारी

नई दिल्ली, 9 सितम्बर, 2014

का.आ. 2482.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भारत इलेक्ट्रॉनिक्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 235/2013, 236/2013, 237/2013, 238/2013, 239/2013 और 240/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8/9/2014 को प्राप्त हुआ था।

[सं. एल-14012/48/2013-आईआर (डीयू)]

[सं. एल-14012/49/2013-आईआर (डीयू)]

[सं. एल-14012/50/2013-आईआर (डीयू)]

[सं. एल-14012/51/2013-आईआर (डीयू)]

[सं. एल-14012/52/2013-आईआर (डीयू)]

[सं. एल-14012/53/2013-आईआर (डीयू)]

पी. के. वेणुगोपाल, अनुभाग अधिकारी

New Delhi, the 9th September, 2014

S.O. 2482.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I.D No. 235/2013, 236/2013, 237/2013, 238/2013, 239/2013 & 240/2013) of the Central Government Industrial Tribunal-cum-Labour Court No.1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of the M/s. Bharat Electronics Limited and their workmen, which was received by the Central Government on 08/09/2014.

[No. L-14012/48/2013-IR (DU)]

[No. L-14012/49/2013-IR (DU)]

[No. L-14012/50/2013-IR (DU)]

[No. L-14012/51/2013-IR (DU)]

[No. L-14012/52/2013-IR (DU)]

[No. L-14012/53/2013-IR (DU)]

P. K. VENUGOPAL, Section Officer

ANNEXURE

**BEFORE SHRI SURENDRA PRAKASH SINGH,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.**

Case No. ID No.235 of 2013.

Reference No. L-14012/48/2013-IR(DU) dated 03.03.2014

Shri Sanoj Kumar
Son of shri Rajmal,
R/o H.No.536, New Indira Colony,
Manimajra, Chandigarh

.....Workman

Versus

1. The General Manager,
M/s. Bharat Electronics Limited,
405, Industrial Area,
Phase-III, Panchkula (Haryana)
2. The Chief Managing Director,
M/s. Bharat Electronics Limited,
Head Office, Outer Ring Road,
Bangalore.

.....Respondents

Appearances :

For the Workman : None

For the Management : Sh. N.K. Zakhmi

AWARD PASSED ON : 02.09.2014

Government of India, Ministry of Labour vide notification No.L-14012/48/2013-IR (DU) dated 3.3.2014 has referred the following dispute to this Tribunal for adjudication:

Term of Reference:

“Whether relationship of employer and employee exists between Sh. Sanoj kumar Son of Shri Rajmal and Bharat Electronics Ltd. Panchkula? If yes, whether action of the Bharat Electronics Ltd. Panchkula in terminating the services of Sh.Sanoj w.e.f. 17.4.2013 is legally just and valid? If not, then to what relief the workman is entitled to and from which date?”

2. Case repeatedly called. None appeared for the workman nor any claim statement has been filed. As per record three opportunities have been allowed to file claim statement. None appeared on behalf of the workman despite notice. It appears that the workman is not interested to pursue the present reference. In view of the above the present reference is disposed off for want of prosecution.
3. Reference is disposed off accordingly. Central Govt. be informed. Soft copy as well as hard copy be sent to the Central Govt. for publication.

S. P. SINGH, Presiding Officer

Chandigarh
02.09.2014

ANNEXURE

**BEFORE SHRI SURENDRA PRAKASH SINGH,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID No. 236 of 2013

Reference No. L-14012/49/2013-IR(DU) dated 03.03.2014

Shri Sunil Kumar
son of Shri Ved Pal,
R/o H.No.10, Rajiv Colony,
Sector-17, Panchkula (Haryana)Workman

Versus

1. The General Manager,
M/s Bharat Electronics Limited,
405, Industrial Area, Phase-III,
Panchkula (Haryana)
2. The Chief Managing Director,
M/s Bharat Electronics Limited,
Head Office, Outer Ring Road,
Bangalore.Respondents.

Appearances :

For the Workman : None.

For the Management : Sh. N. K. Zakhmi

AWARD PASSED ON:-02.09.2014

Government of India Ministry of Labour vide notification No.L-14012/49/2013-IR(DU) dated 3.3.2014 has referred the following dispute to this Tribunal for adjudication:

Term of Reference:

“Whether relationship of employer and employee exists between Sh. Sunil Kumar Son of Shri Ved Pal and Bharat Electronics Ltd. Panchkula? If yes, whether action of the Bharat Electronics Ltd. Panchkula in terminating the services of Sh.Sunil Kumar w.e.f. 17.4.2013 is legally just and valid? If not, then to what relief the workman is entitled to and from which date?”

2. Case repeatedly called. None appeared for the workman nor any claim statement has been filed. As per record three opportunities have been allowed to file claim statement. None appeared on behalf of the workman despite notice. It appears that the workman is not interested to pursue the present reference. In view of the above the present reference is disposed off for want of prosecution.
3. Reference is disposed off accordingly. Central Govt. be informed. Soft copy as well as hard copy be sent to the Central Govt. for publication.

S. P. SINGH, Presiding Officer

Chandigarh
02.09.2014

ANNEXURE

**BEFORE SHRI SURENDRA PRAKASH SINGH,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID No.237 of 2013.

Reference No. L-14012/50/2013 (IR(DU)) dated 03.03.2014

Shri Sanjiv
son of Shri Chander,
R/o H.No.97, Rajiv Colony,
Sector-17, Panchkula (Haryana)Workman

Versus

1. The General Manager,
M/s Bharat Electronics Limited,
405, Industrial Area,
Phase-III, Panchkula (Haryana)
2. The Chief Managing Director,
M/s Bharat Electronics Limited,
Head Office, Outer Ring Road,
Bangalore.Respondents.

Appearances

For the Workman : None.

For the Management : Sh. N.K.Zakhmi

AWARD PASSED ON:-02.09.2014

Government of India Ministry of Labour vide notification No.L-14012/50/2013/IR (DU) dated 3.3.2014 has referred the following dispute to this Tribunal for adjudication:

Term of Reference:

“Whether relationship of employer and employee exists between Sh. Sanjiv Son of Shri Chander and Bharat Electronics Ltd. Panchkula? If yes, whether action of the Bharat Electronics Ltd. Panchkula in terminating the services of Sh.Sanjiv w.e.f. 8.4.2013 is legally just and valid? If not, then to what relief the workman is entitled to and from which date?”

2. Case repeatedly called. None appeared for the workman nor any claim statement has been filed. As per record three opportunities have been allowed to file claim statement. None appeared on behalf of the workman despite notice. It appears that the workman is not interested to pursue the present reference. In view of the above the present reference is disposed off for want of prosecution.
3. Reference is disposed off accordingly. Central Govt. be informed. Soft copy as well as hard copy be sent to the Central Govt. for publication.

S. P. SINGH, Presiding Officer

Chandigarh
02.09.2014

ANNEXURE**BEFORE SHRI SURENDRA PRAKASH SINGH,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH****Case No. ID No. 238 of 2013**

Reference No. L-14012/51/2013-IR(DU) dated 03.03.2014

Shri Anuj Kumar
son of Shri Babu Ram,
Resident of Village Budhanpur,
Panchkula (Haryana)Workman

Versus

1. The General Manager,
M/s Bharat Electronics Limited,
405, Industrial Area,
Phase-III, Panchkula (Haryana)
2. The Chief Managing Director,
M/s Bharat Electronics Limited,
Head Office, Outer Ring Road,
Bangalore.Respondents.

Appearances :

For the Workman : None

For the Management : Sh. N.K. Zakhmi

AWARD PASSED ON : 02.09.2014

Government of India Ministry of Labour vide notification No.L-14012/51/2013-IR (DU) dated 3.3.2014 has referred the following dispute to this Tribunal for adjudication:

Term of Reference:

“Whether relationship of employer and employee exists between Shri Anuj Kumar son of Shri Babu Ram and Bharat Electronics Ltd. Panchkula? If yes, whether action of the Bharat Electronics Ltd. Panchkula in terminating the services of Sh. Anuj Kumar w.e.f.17.4.2013 is legally just and valid? If not, then to what relief the workman is entitled to and from which date?”

2. Case repeatedly called. None appeared for the workman nor any claim statement has been filed. As per record three opportunities have been allowed to file claim statement. None appeared on behalf of the workman despite notice. It appears that the workman is not interested to pursue the present reference. In view of the above the present reference is disposed off for want of prosecution.
3. Reference is disposed off accordingly. Central Govt. be informed. Soft copy as well as hard copy be sent to the Central Govt. for publication.

S. P. SINGH, Presiding Officer

Chandigarh

02.09.2014

**BEFORE SHRI SURENDRA PRAKASH SINGH,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH****Case No. ID No.239 of 2013.**

Reference No. L-14012/52/2013-IR(DU) dated 03.03.2014

Shri Sultan Singh
son of Shri Rajmal,
Resident of House No. 1103/1,
Rajiv Colony, Sector-17,
Panchkula (Haryana)Workman

Versus

1. The General Manager,
M/s Bharat Electronics Limited,
405, Industrial Area, Phase-III,
Panchkula (Haryana)
2. The Chief Managing Director,
M/s Bharat Electronics Limited,
Head Office, Outer Ring Road,
Bangalore.Respondents

Appearances

For the Workman : None.

For the Management : Sh. N.K.Zakhmi

AWARD PASSED ON:-02.09.2014

Government of India Ministry of Labour vide notification No.L-14012/52/2013-IR (DU) dated 3.3.2014 has referred the following dispute to this Tribunal for adjudication:

Term of Reference:

“Whether relationship of employer and employee exists between Shri Sultan Singh son of Shri Rajmal and Bharat Electronics Ltd. Panchkula? If yes, whether action of the Bharat Electronics Ltd. Panchkula in terminating the services of Sh. Sultan Singh w.e.f.13.3.2013 is legally just and valid? If not, then to what relief the workman is entitled to and from which date?”

2. Case repeatedly called. None appeared for the workman nor any claim statement has been filed. As per record three opportunities have been allowed to file claim statement. None appeared on behalf of the workman despite notice. It appears that the workman is not interested to pursue the present reference. In view of the above the present reference is disposed off for want of prosecution.
3. Reference is disposed off accordingly. Central Govt. be informed. Soft copy as well as hard copy be sent to the Central Govt. for publication.

S. P. SINGH, Presiding Officer

Chandigarh

02.09.2014

ANNEXURE

**BEFORE SHRI SURENDRA PRAKASH SINGH,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID No. 240 of 2013

Reference No. L-14012/53/2013-IR(DU) dated 03.03.2014

Shri Satyavan
son of Shri Rajmal,
Resident of House No. 1104,
Rajiv Colony, Sector-17,
Panchkula (Haryana)

.....Workman

Versus

1. The General Manager,
M/s Bharat Electronics Limited,
405, Industrial Area,
Phase-III, Panchkula (Haryana)
2. The Chief Managing Director,
M/s Bharat Electronics Limited,
Head Office, Outer Ring Road,
Bangalore.

.....Respondents

Appearances :

For the Workman : None.

For the Management : Sh. N.K. Zakhmi

AWARD PASSED ON : 02.09.2014

Government of India Ministry of Labour vide notification No.L-14012/53/2013-IR (DU) dated 3.3.2014 has referred the following dispute to this Tribunal for adjudication:

Term of Reference:

“Whether relationship of employer and employee exists between Shri Satyavan son of Shri Rajmal and Bharat Electronics Ltd. Panchkula? If yes, whether action of the Bharat Electronics Ltd. Panchkula in terminating the services of Sh. Satyavan w.e.f.1.4.2013 is legally just and valid? If not, then to what relief the workman is entitled to and from which date?”

2. Case repeatedly called. None appeared for the workman nor any claim statement has been filed. As per record already three opportunities have been allowed to file claim statement. None appeared on behalf of the workman despite notice. It appears that the workman is not interested to pursue the present reference. In view of the above the present reference is disposed off for want of prosecution.

3. Reference is disposed off accordingly. Central Govt. be informed. Soft copy as well as hard copy be sent to the Central Govt. for publication.

S. P. SINGH, Presiding Officer

Chandigarh
02.09.2014